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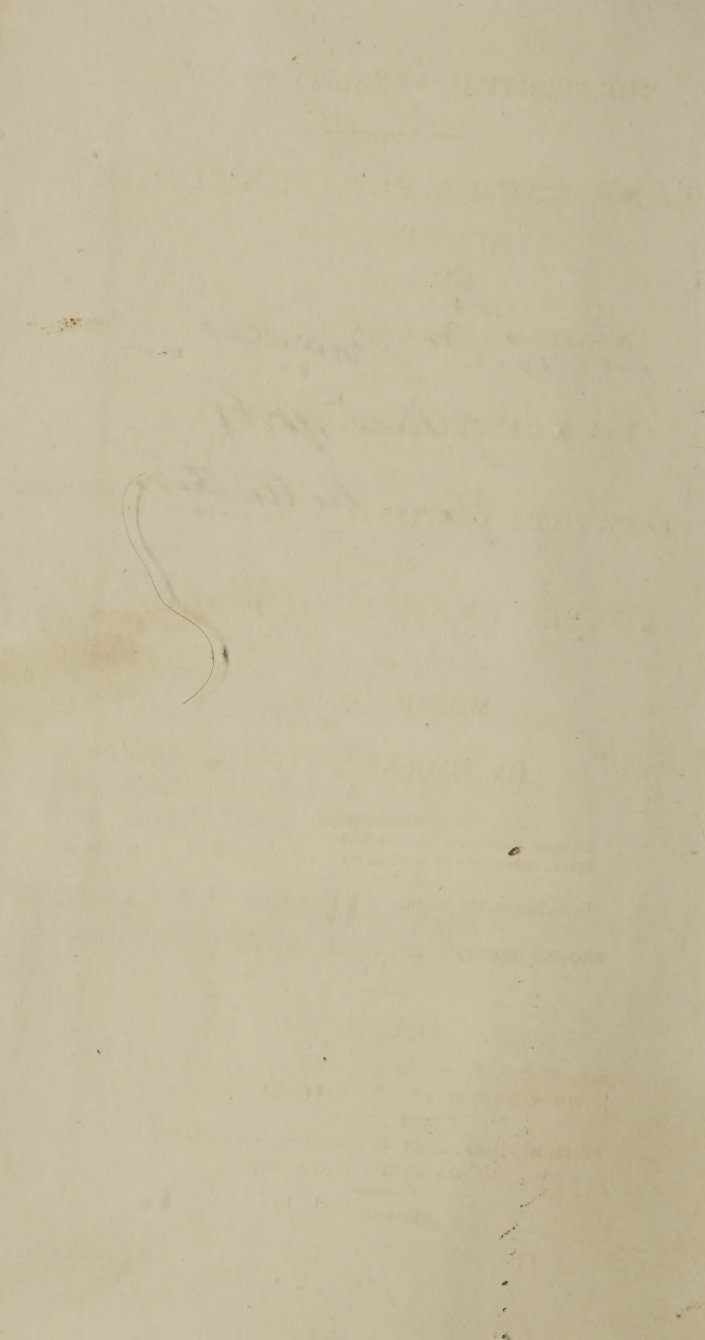
PRINCETON, N. J.

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The spiritual venality of
Rome

To
The Rev. Dr. Bowdler
New York
From the Author.



✓
THE SPIRITUAL VENALITY OF ROME.

TAXE SACRE PENITENTIARIE
APOSTOLICE;

PRECEDED BY

A HISTORICAL AND CRITICAL ACCOUNT

OF THE

TAXÆ CANCELLARIÆ APOSTOLICÆ,

AND

TAXÆ SACRÆ PÆNITENTIARIÆ APOSTOLICÆ,

OF THE

UNITED CHURCH AND COURT

OF

MODERN ROME.

BY EMANCIPATUS.

J. Mendham

..... Venalia nobis

Templa, sacerdotes, altaria, sacra, coronæ,

Ignes, thura, preces—cælum est venale Deusque.

B. Mantuani de Calamitt. lib. iii.

Poeta fuit doctus, et pius.—*Bellarm. de Scriptt. Eccless.*

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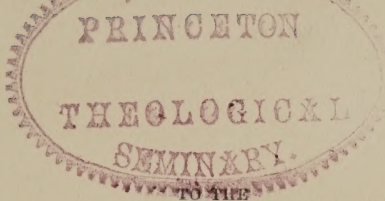
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MEMBERS OF THE APOSTOLIC PENITENTIARY

IN ROME,

THE MAJOR PENITENTIARY ;

THE REGENT ;

THE THEOLOGIAN ;

THE DATARY ;

THE CANONIST ;

THE SECRETARIES, AND ALL OTHERS,

NOT OMITTING THE CONFESSORS DISTRIBUTED OVER

THE PAPAL WORLD—

WITH THE HUMBLE REQUEST, THAT ALL, OR ANY, WILL

CONTRIBUTE SUCH CORRECTION

OR CONFIRMATION

AS THEIR PROFESSIONAL ADVANTAGES QUALIFY

THEM TO IMPART—

THE PRESENT WORK

IS APPROPRIATELY, AND WITH DUE RESPECT,

INSCRIBED BY

THE AUTHOR.

PREFACE

TO THE SECOND EDITION.

THE work which the writer now republishes with a somewhat varied title, with much additional matter, and with other decided improvements, issued from the press originally in 1825, under the name EMANCIPATUS—a name intended to refer to the Emancipation achieved by the blood of martyred British Christians, and enjoyed by himself in common with the whole body of reformed Christians, from the servile yoke and doctrinal corruption of the church of Rome. He retains the fictitious name for the same reason, although he never made any secret of the real one. He considers it of peculiar moment at the present crisis, that Protestants should become acquainted with facts and documents little known to themselves or others; and respecting which the very parents either possess or affect the most consummate ignorance—if, indeed, in the face of opposite conviction, they do not father their own progeny upon

those whom calumny calls heretics. Some concern is likewise had for the credit and integrity of those among ourselves, who may so far lend a helping hand to the guilty as to cultivate the same ignorance, both in themselves and in others.

We are living in times of strange perversity, or rather of divine and just visitation. Every portion of society seems to be undergoing a decomposition, which has reached Protestantism itself; and in its camp treason of all characters and dimensions has been discovered. Under the impulse of virtual popery, the religion of nature, have issued those, who, not daring to attack what they nominally profess, have disguised and nick-named the best friends of reformed Christianity, and the best measures for advancing it, in order to make *both* the victims of their unnatural hostility.* Even some, who must be accepted as friends, have yet, by hesitating doubt or disapprobation respecting proceedings, which have exclusively supplied them with all that is effective in their own exposures of papal fraud, given an advantage to the enemy, of which he will not fail to avail himself.† And what shall we say of

* See British Critic. In spite of the unworthy imputation of Ultra-Protestantism, there are no individuals, to whom true Protestants are more indebted than Messrs. M'Ghee and O'Sullivan.

† See the generally excellent and unanswerable *Strictures on the Letter of Dr. Murray relative to Dens' Theology*. By a Lay Protestant.

the repetition by a popish government of that violation of Protestant liberty and integrity, which, when attempted by a popish king, was successfully resisted by the illustrious body, to whom the insult was offered, the University of Oxford? If the Lady Margaret of Richmond's Reader in Divinity does not afford a refuge, parents must look to the sister University; till the pontifical priesthood in Ireland, ordering *their* Slave, and he *his*, shall think fit to offer the same indignity there. The perhaps *inevitable* professor of divinity, who has, indeed, sung a *real*, but not an *open* or *professed*, recantation; (for *ambiguity* in some of his expressions is the *extreme* of his admissions,) seems in some instances to have fallen into error, more from the giddiness inspired by newly acquired erudition, before he understood how to manage it, than from perversity of intellect or will. But had the retractation been more definite and complete, still the sincerity must remain at a considerable distance from moral certainty; and the *softening process*, so prominent in the application of papal logic, would supply ample means of defending, and maintaining, what is fundamentally both erroneous and noxious.* Let

* One of the first universities in the world certainly presents no very dignified aspect to its own country, in leaving the supposition not absolutely irrational that the Royal professor of theology in it might be corrected, not only in his conclusions, but in the logic which conducts him to them, by the more intelligent of the young academics who attend his lectures.

us, however, hope, that all these matters will be ruled and over-ruled for the best; and, as one of the most effectual of counteracting instruments, we look to our episcopal bench—unless *that* should be still farther invaded by the tyrannical and unchristian obtrusion of disqualified individuals, who, if they do not, themselves, lead the flock of Christ into Papal or Socinian pastures, care not who does, and will not be so *illiberal* as to refuse him *God speed*.

The edition of the *Taxæ* given at the close of this little volume, as well as some of the additional matter,* may be found in the *Life and Pontificate of St. Pius V.* The author does not consider any apology necessary on that account; since it is obviously important to have the whole subject brought together under one view, and many may feel an interest in the present subject, who feel less, or none, in a volume of biography.

The most material of the documentary articles in the edition now repeated, is, the *Extracts from the MS. Taxæ in the British Museum*, to a far greater extent than in the former. A second visit to that princely establishment, enabled the author to transcribe much more liberally than in the first; and the present result is, a far more extensive contribution of the extraordinary volumes than has ever before met the eye of the public. The folia marked in the mar-

* Pp. 80—5.

gin will enable the attentive reader to measure the extent of the *abridged*, as well as of the *extracted* passages. Those folia are, of course, according to the peculiar hand-writing of the different scribes, and even inequality in the same, slightly varying in the quantity contained in them.

The spiritual venality of the Roman harlot, her trade in the souls of men and in the lucrative article of their crimes, invite, and would almost oblige to, an inquiry into the depravity promoted by her penitential doctrine and discipline. In addition to the defiling rules for examination in order to confession, laid down in Dr. Challoner's *Garden of the Soul**—a work now undergoing a clandestine, but necessary, process of purification†—we might have dwelt upon a passage, almost equally revolting, in another very popular and accredited manual, Gother's *Instructions for Confession*, appended to the *Key of Heaven*, &c.‡ We might have entered into details of the infamous *Discussions*, and particularly the *Schemata* of the now notorious Theology of Dens, in the Sixth and Seventh volumes.§ We might have

* Stereotype edition by Keating and Brown, pp. 213—215, and 229, 230.

† See Prot. Journal for 1836, pp. 145—7, Review of the Birmingham amended edition 1834—the first step. In the next edition a *part* of the nuisance and obstacle to the progress of popery will probably be removed.

‡ Keating and Brown, 1834. See pp. 305, 6.

§ Vide Tom. VI. pp. 347—350; Schema VIII; Tom. VII. pp. 162—9. Any one who should not be disgusted with the em-

shewn, that the directions prescribed in the works adduced have the *peculiarity*—that they are *compulsory*; that the subjects of them are to be matter of *study* and *continued rumination*; that *shame*, *reserve*, and *natural modesty* are reprobated, and to be dismissed or overcome; and that a *particularity* is to be observed tending almost necessarily to *banish all the safeguards of virtue and to create crime*, together with a *callosity* in the commission of it, which constitutes the last stage of human depravity.*

It is not alone in Challoner, or Gother, or Dens, that the demoralising lessons of the Sacrament of Penance are inculcated. They are found in the rudiments of instruction for the youths of Maynooth,

ployment, might soil pages upon pages with the impurity of Dens alone.

* “The confessional becomes the medium of numberless abuses in the hands of the ignorant, the inexperienced, and the profligate. The doctrine of wrong is often inculcated instead of the doctrine of right; the knowledge of vice is conveyed by indelicate interrogatories, and the profligate priest makes the confessional subservient to the gratification of his unruly appetites. The crime ‘*solicitatio mulieris in tribunali*’—‘to solicit a female in the tribunal’—is not of such rare occurrence, and would be very common, but for the dread of detection.”—CROLY, “Of Confession,” in his *Inquiry into the Difference, &c.* pp. 151, 2. Let the least scrupulous of the apologists of Rome produce any thing in Protestant works and the *circumstances* included in them, *similar*, in the most distant manner or degree, to the penitentiary productions *with their circumstances* referred to in the text—if they can. Directions for *optional* and *private* use will not do.

as extant in Delahogue's Treatise de *Pœnitentia*, and those of Baily, so formidably exposed in a late able pamphlet with that object.* One important inference from the abominable schemata of the unkenelled Dens is, that they remove all improbability from the similar Schemata, or Dialogues, described, as proceeding from the pen of Pope Sixtus V. when he was Confessor general, by Gregorio Leti; and two of which, transcribed by that writer, are so disgustingly foul, that the English translator has not dared to give them in the vernacular tongue. They occur in Parte I. Lib. ii. of the original. Leti was an occasional embellisher: but he was not so addicted to regard point-blank falsehoods in the light of "*rhetorical flourishes*"† as absolutely to invent formal documents. The whole of this theory and exemplification will sufficiently account for the repeated Bulls of Popes to check, if not prevent, the practice by Confessors of soliciting the chastity of

* *Roman Catholic Morality as inculcated in the Theological Class-Books in Maynooth College.* From this seasonable collection it is evident, that no female, who is not prepared for the deepest insult which natural modesty can encounter, should by any motive be induced to embrace popery, or surrender herself to the *spiritual* guidance of a Romish priest. And let Christian parents, in particular, look well to it.

† A certain Roman catholic senator might be consulted with advantage on this subject; and probably the information which he could give would throw as much flattering light on his *morality*, as the celebrated wish expressed on a memorable occasion, of "success to the fox-glove," did on his *humanity*.

their female penitents in confession,* and for the annual Edict published by the Inquisitors in Spain in the churches, one article of which requires all who may be cognizant of the fact, to give information thereof to the proper authorities. The document, as referring to Valencia, may be seen at the end of Llorente's IVth volume of *Histoire Crit. de l'Inquisit. d'Espagne*;† and I have an original Edict issued by the Inquisitors of Valladolid in 1772, with the au-

* See in the *Bullar. Mag.* Cherubini, the bulls of Pius IV. Ap. 16, 1561; of Clem. VIII. Dec. 3, 1592; of Greg. XV. Aug. 30, 1622; and of Bened. XIV. Kal. Junii, 1741, in his peculiar *Bullarium*. All these are recognized, and reinforced by our royal countryman, the Cardinal Duke of York, in the *Constt. Synod. Ecc. Tuscul.* 1763, Romæ, 1764, i. 678, et seqq.

† In the iiid. vol. of this work, where the author considers the subject at length, and attempts in some degree to soften the picture, by supposing, what may readily be admitted, that sometimes false accusations are made, he observes, that confessions by females with relation to the commandment in question, the papal *siath*, are the most ordinary occasion of the sacerdotal crime under consideration—fait naître l'occasion la plus ordinaire de la tentative dont le confesseur se rend coupable. P. 32. De Potter, in his *Vie de Scipion de Ricci*, Bruxelles, 1826, has at p. 400, and following, transcribed four separate depositions of solicited females before the Inquisitor, the Bishop of Pistoia and Prato. The originals of these documents were found in the archives of Ricci, and they discover the vile abuse which the confessors concerned made of their facilities in polluting the minds of perhaps ignorant and innocent individuals, who were put under their spiritual authority. If any thing could aggravate the iniquity of the whole system, that aggravation would be supplied by the narrow bounds to which the accredited guides in the spiritual matters of the papacy confine the offence. There is a work of considerable authority in the Roman church, *Apho-*

tograph signatures of the proper functionaries.* Mr. Townsend, in his Travels in Spain, informs us, that the Inquisitors of Barcelona, with whom he was on friendly terms, “ gave him to understand, that as long as the priesthood should be debarred from marriage, and confessors continue liable to abuse the

rismi Inquisitorum, by Ant. de Sousa, of Lisbon, Dominican, Master of Theology, and King’s Counsellor, as well as of the Inquisition, printed at Tournon, 1633, cum approbationibus. Lib. i. cap. xxxiv. is entirely upon the soliciting subject; and it is full of exceptions to proof or qualification of the crime, particularly § 36—42: so that, with all the loop-holes, it is hardly possible that a dexterous confessor need be caught and convicted—he may drive, six in hand, through all the provisions of the papal bulls with as much facility as certain honourable senators through their oaths. Let the reader recollect, that the Inquisition is the tribunal to which the cognizance of the cases in question belongs.

* There is a practice precisely to the same effect in Italy, with which I was unacquainted, till I consulted *Constitutiones* edit. ab Episc. Viterbien. in Synodo 1762. Viterb. 1763. In the Appendix, Num. I. § i. is given Editto del S. Offizio da pubblicarsi, &c. and after heresy and its books, it has exactly the same injunction respecting the Confessor’s abusing his office a fini disonesti, sollecitando in essi i penitenti *ad turpia*, &c. It is additionally remarkable, that the very next Num. recites a Summary of the Bolla in Cœna Domini, which supplies the matter and authority of the preceding Edict, and *that* in the year 1762; and from other sources, we know that the bull is still in force, though the precise form is not perhaps now gone through as formerly—as Dr. England in Rome would tell easy Protestants, to gull them into the belief, that such intolerance is in his church a “ by-gone ” matter. See Dr. England’s *Explanation of the Ceremonies of the Holy Week*, &c. Rome, 1833, and the Review thereof in the *Protestant Journal* for 1834, pp. 218—230, particularly 227 to 230.

confidence reposed in them, the secrecy, the prudence, and, when needful, the severity of the inquisition, would be the only effectual restraint against licentiousness and the universal depravation of their morals.”* Happy for the Inquisition had it always been so well employed! But why this concern of Rome for the reputation of the Confessional? With its reputation goes its existence, and with its existence its profits.

With the facts here, and throughout the following treatise adduced, in evidence and before my eyes, I should blush, if I could be prevailed upon, either to conceal or to palliate—I should blush, if I suppressed or disguised the feelings which they naturally, or, I should say, necessarily, excite. But with all just abhorrence of the spiritual turpitude which I have had to unfold, there is no degree of compassionate, and even indulgent, charity, which I do not feel and cherish towards the wretched victims of so much error and iniquity. *That* charity is extreme towards the passive portion, that which peculiarly constitutes the *deceived*, the lower and helpless class, whose simplicity is practised upon, and tyrannized over, by their unprincipled, and, it is to be feared, hypocritical, and interested *deceivers*. In favour of the *clerical* deceivers, charity may dictate the allowance, that it is possible, though barely possible, that they may, in the first instance, be

* Vol. iii. p. 335, first edition.

deceived themselves. Woe to them if they are not. To the *lay* division, the same charity can, with no affectation of candour, be extended. If their education be at all above the most illiberal, they cannot fail to be in heart, as many with their lips profess to be, disbelievers in the religion which they still profess, and upho'd, and with a reckless inhumanity impose upon others—particularly the simple and helpless. Yet even these, even the latter, although as much as possible disqualifying themselves for commisseration, I embrace in the charitable and fervent prayer, that they may see and repent of an insincerity, of which they can hardly be unconscious, and at length view with some pity, and a determination to emancipate, the miserable thralls of the ignorance and superstition which they have bound upon them. I do not ask them, nor any of them, to become members of my own community: if I could do it with a safe conscience, I would not ask them to forsake their own. But with the Creed and Oath of Pius IV. about their necks, (the *clergy's* at least,) and with the countenance which their public continuance in their own church gives to the entire system, together with the constantly present and tempting facility of a relapse, I hardly see how a barely mental, or even expressed, renunciation of their church's corruption, can thoroughly satisfy the conscience. But what I ask, and the sum of what I ask, and even implore, is, that they become

CHRISTIANS—seeking and accepting their religion from Christ and his Scriptures alone, and rejecting with holy indignation all other hope of salvation, all other pretenders to a share, however small and plausible, in supplying that hope. If they can do so without *formal* recantation, I am happy that they see a way which is not quite clear to me. But, at all events, and in some, whatever way, Babylon, and all that *distinguishes* her, must be forsaken; and with the exposures recently and so honourably made of the nakedness and deformity of the great Roman Adulteress, by an O'BEIRNE, by a CROLY, and more especially by the CROTTYS, there cannot be supposed a priest in the temple of modern and European Baal, who is not inwardly and irresistibly conscious, that by perpetuating his present ministry and efforts, he is dispensing palpable delusion to such of his fellow-sinners as he can deceive or govern, and that his imposture is now so manifest in the eyes of the world, that he can only persist in it in defiance of public reprobation, not only of Christians, but even of honest men. The reputation of the royal college of Maynooth has been blown up, either for learning, or for morals, or for religion, or for toleration. The whole system of what is *peculiar* to the Italian faith, has been shattered to atoms—it has been stript, not only of infallibility, but of bare probability or integrity. Examples of evangelic and fervent piety have been exhibited within the

bosom of the Roman church, not in conformity with her precepts or spirit, but in opposition to them—not to her recommendation but to her disgrace.* It is well if “the strong antipathy of good to bad” do not thin her ranks, till there be none remaining, or none but those, whom interest, a spirit of delusion, or sympathy with evil, render fit for her chains and her prison-house. And all this because she will not change,—will not reform. “Wo unto thee, O ROME, wilt thou not be made clean? when shall it once be?”—Jer. xiii. ult.

JOSEPH MENDHAM.

Sutton Coldfield, April 13, 1836.

* I may be allowed just to refer to the artificial and distorted humanity, so regular in the Roman discipline, and so triumphantly exposed, as Dr. Murray is concerned, in a *Letter* addressed to him, and re-published in Birmingham. What a mockery is it, to affect to pay off the score of unpitied, if not approved, tortures and murders of protestants by myriads, whether by legal process or organized massacre, and with the deaths and sufferings of the protestant clergy of his own country, under his almost present inspection—by drivelling and inflated lamentations over an accidental death produced by a defiance of law originating in the principles and encouragement of his own church; and then caricatured into an act of persecution on the part of the really persecuted against that church! And yet into this palmary case of protestant persecution, Mr. O’Connell did not dare to move a parliamentary inquiry; and the horrible affair of Rathcormac has been almost exclusively left to be trumpeted forth, periodically, as the great stock-piece of popery, by one, who has all the qualifications, but the talents, of a complete sacerdotal incendiary.—See Eneas Macdonnell’s First Letter in the *Times*, 1835

THE
SPIRITUAL VENALITY OF ROME,

&c. &c.

THE
SPIRITUAL VENALITY OF ROME.

IN the whole compass of Literature there scarcely exists any book, or set of books, more curious, and, for several reasons and purposes, more important in themselves, more numerous in editions, and, however little concealed, for some time after their first appearance, more rare of occurrence in modern ages ; more indispensable and profitable to their real parent, who yet most positively and earnestly disowns his progeny, certainly with good and obvious reason, but in defiance of undeniable proof of filiation ; and, finally, of which the accounts, with the means of being much otherwise, are more defective, confused, erroneous, and unsatisfactory,—than the books bearing, for substance, the title of *TAXÆ CANCELLARIÆ APOSTOLICÆ*, and *TAXÆ SACRÆ PŒNITENTIARIÆ APOSTOLICÆ*. It may be important to observe,

in the outset, that these two works, although frequently confounded, are really distinct—at least, as portions under the general denomination.

The first author, who may be considered to have examined this subject critically, and to any extent, is doubtless the celebrated Bayle, in his Dictionary, under the articles, Banck, Pinet, Tuppius. The first French edition, indeed, of a form of the *Taxæ* by Antoine du Pinet, in 1564, under the title of *Taxe des Parties Casuelles*, &c. and the re-impressions previous to the time of Bayle, although accompanied with prefaces, contain nothing to satisfy almost necessary curiosity. The edition of 1744 has a preface of large dimensions: and so have the respective reprints of another form of the *Taxæ* by Banck in 1651, and by Du Mont in 1664. Charles Chais, in his valuable *Lettres sur les Jubilés*, &c. published in 1753, has, in the XXVIth Lettre, given the subject the best form which the existing materials would allow. But by none of the editors of these editions have we the information, either for kind or degree, which most of them possessed, and which it was obviously of most importance to communicate. Evidently, the

point most essential in such inquiries is, to describe with precision the documents and authorities produced, and to establish their authenticity by such evidence, as not the most practised and dexterous artifice, nor the most shameless counter-asseveration, which are both to be expected, can elude or demolish. And in this point, all the preceding writers, although entitled to the praise of having communicated much valuable information, have yet, in various degrees, egregiously and unaccountably failed.

The first author, who may be said not to have failed, is Prosper Marchand, in his *Dictionnaire Historique, &c.* published in 1759, under the word *Taxæ, &c.*: and that article certainly exhibits the fullest, the most correct, and, in all respects, the best and most satisfactory, account to be found, of the extraordinary documents under consideration. This praise has not been wrested from it even by the edition of Du Pinet's *Taxe* published at Paris so lately as 1820, and which, instead of advancing in information, has actually retrograded, and left us more ignorant than we were when Marchand wrote. It were well if defects alone were chargeable upon this reprint. Its

additions are highly reprehensible. In the year 1824 was published a valuable pamphlet entitled “ A brief Historical Reference to the Three Capital Offences of the Church of Rome ; the Sale of Indulgences,” &c. Under this first head is given a rather detailed, and, in the main, correct, account of the Roman Tax-Books, with additional and useful matter : but the author, who assumes the name of Rusticus, does not appear to be acquainted with Marchand’s discussion, and is therefore defective, as well as, in some points, erroneous. Marchand therefore still continues the principal author on the subject ; and his work must be the foundation, on which any future similar work is to be raised. But however meritorious and successful his inquiry may be, it is not so full and correct as it might be. There is room for much important addition, some rectification of error, and some more accurate statement of fact. And these may be supplied, partly from a careful examination of the well known and useful *Annales Typographici* of Panzer, and partly from a more accurate examination, in the editions which are accessible, of the *Taxæ* themselves.

This is the object which the author proposes to accomplish ; and how far he has accom-

plished it may be ascertained by any one, who will give himself the pains of comparing the present with preceding disquisitions. It would be invidious and irksome, to enter into any detailed exposure of the deficiencies of his predecessors, although occasion will necessarily occur of stating some instances, when the works of the authors come to be described. It is proper to observe, that the subject of examination and discussion in this tract is, not the different collections, all or any, of *Taxæ*, innocent in themselves or relative to innocent matters, which are extant in abundance in various parts of the *Bullarium Magnum*, and of which, generally speaking, as the authors need not be ashamed, so they studied not concealment. Happy for Rome, if nothing more serious could be objected to her. The reader, therefore, is to be upon his guard against any attempt to amuse and delude him by an ostentatious and affectedly triumphant reference to these harmless documents.

It is not necessary, nor compatible with the proposed limits of the present work, to state, very formally or at length, the origin of the *Taxæ*, particularly the *Penitentiariæ*, which are obviously of the main importance: some

observations and statements, however, to that effect, will not be without their use.

The power of absolving from sin in general, or from any particular sin, upon considerations deemed equivalent or satisfactory, comes under the general head of Indulgences, which the later Bishops, or Pontiffs, of Rome, claim the prerogative of dispensing, on grounds, which themselves have stated. The species of Indulgence known by the name of Jubilee, and which from being at first celebrated at the interval of fifty years, then at that of thirty-three, and afterwards, which has continued with one exception to the present time, at that of a quarter of a century, is allowed, without dispute, to have been first instituted by Boniface VIII. in the year 1300. In the short Bull appointing this first Jubilee, the Pontiff begins by affirming,—that, antiently, to the visitors of St. Peter's Church there were conceded great remissions and indulgences of sins—that these are renewed by him—and that this, and every future hundredth year, he (and his successors it is presumed) “ have granted and will grant, not only a full and abundant, but the fullest pardon of all the sins” of those who are truly penitent and confess—(non solum plenam et

largiorem, imo plenissimam omnium suorum concedemus et concedimus veniam peccatorum). The encouragement is added, that the more frequent and devout the visits, the more effectual. The terms here used are not very measured ; no qualification is expressed of the kind of pardon ; and if, what seems to be admitted as a maxim in the interpretation of indulgences, *tantum valent quantum sonant*, be applied here, the receivers of the benefit were under no obligation to moderate their view of its extent.

The next bull to the same purpose was issued by Clemens VI. at the distance of only half a century ; for to that period his concern that Christendom should not continue to be deprived of so great a blessing, had reduced it. And this instrument is of the more curiosity and importance, because it declares and describes, by the claimant of the power himself, the *Source* from whence that power is derived. Christ, says his infallible Vicar, shed, not a moderate drop of blood, which, from his divinity, had sufficed for the universal redemption of man, but a copious flood, which he would not have to be useless and superfluous, but to constitute an inexhaustible treasury for the militant church. “ This treasure he did

not put in a napkin or hide in a field, but committed to St. Peter, the key-keeper of heaven, and to his successors, his own vicars on earth, to be prudently dispensed to the faithful; and, for proper and reasonable causes, at one time for the total, at another for the partial, remission of the temporal punishment due for sin, as well generally as specially, in conformity with the known will of God, to be mercifully administered to those who are truly penitent and confess. To the accumulation of which treasure the merits of the holy mother of God, and of all the elect, from the first just one to the last, are known to contribute; of the consumption or diminution of which not the least fear need be entertained, as well on account of the infinite merits of Christ, before stated, as from the consideration, that the greater the number of persons attracted to righteousness by the application of it, so much is the amount of the merits increased.” By this ingenious hypothesis, the same pipe which drains, returns into and replenishes, the reservoir.*

The original of the most considerable part of the above is—*Quem quidem thesaurum—*

* The same view is given in the *Dialogi, or Trialogus*, of Wicliff, l. iv. c. 32. *De Indulgentiis*. 1525, or *Francof.* 1753.

per Beatum Petrum cœli clavigerum, ejusque successores, suos in terris Vicarios, commisit fidelibus salubriter dispensandum; et propriis, et rationabilibus causis, nunc pro totali, nunc pro partiali remissione pœnæ temporalis pro peccatis debitæ, tam generaliter, quam specialiter, prout cum Deo expedire cognoscerent, vere pœnitentibus et confessis misericorditer applicandum. Ad cujus quidem thesauri cumulum Beatæ Dei genetricis, omniumque electorum, a primo justo ad ultimum merita administriculum præstare noscuntur; de cujus consumptione," &c.

These are the most authentic expositions of the papal claims of indulgence; and they are to be found in the Corpus Juris Canonici, Extravag. Commun. lib. v. tit. ix. capp. 1 et 2.

It is remarkable, that in the latter of these documents, either abatement of claim or prudence, has limited the remission to *temporal* punishment. But in this, as in most other pretensions of the same nature, there is a convenient generality, or glorious uncertainty. The cloud may be made to assume any figure which the imagination or interest suggests.

But although these exhibitions of the claim are comparatively recent, they must necessa-

rily be understood to represent one of original standing, and acted upon from very remote times.

To this power of granting indulgence, then, is to be assigned the power of pecuniary absolution, or the commutation of penance for money, which is the foundation of the *Taxæ*, and constitutes their essence. Simply to enjoin penitence and penance, and to absolve the offender on the performance of them, may be considered as an exercise of ecclesiastic authority, emanating from the power of the keys: but to allow these to be commuted, to be compounded for, or redeemed, by money, is certainly the exercise of a farther prerogative—it is not an act of discipline, but of indulgence. And that such a prerogative was claimed by the church, with respect to all sins, of whatsoever enormity, is evident from many, perhaps the greater part, of the ancient Penitentiary Canons.

This important subject will be elucidated by inquiring into a few of them.

Theodorus, who was sent from Rome to be Archbishop of Canterbury, in the seventh century, was the first who introduced Penitentiary Canons from the East into the West. His *Pœnitentiale* is extant, and an excellent edition

of it has been given by Petit, Paris, 1677. It is of no great importance to report its contents, as his successors copy from him. The author is remarkable, as being the parent of productions of this sort, and the first metropolitan of England; for the jurisdiction of Augustine was very limited and short-lived.* I pass therefore to the next successor in that province, the venerable Beda, our countryman. He has given a work of this description, under the title, *De Remediis Peccatorum*. And here, which is all that answers our particular purpose to remark, the penance enjoined for all sorts, and the most infamous, of crimes, might, in case of inability (not easily distinguishable from disinclination) to perform the penance, be commuted by almsgiving, which doubtless went through the hands of the Confessors, or others. *Item qui non potest sic agere pœnitentiam, sicut superius diximus, in primo anno eroget in eleemosynam solidos viginti tres, pro uno anno in pane et aqua, donet in eleemosynam solidos viginti duos, et in unaquaque hebdomade unum diem jejundet ad nonam, et alium ad vesperum, et tres quadragesimas; in se-*

* See Soames's *Anglo-Saxon Church*; a reasonable and decisive antidote to the interested perversions of Lingard.

cundo anno viginti solidos ; qui sunt sexaginta quatuor solidi, c. xiv. We here see how naturally, and almost innocently, crept in a system, which, in process of time, attained the most flagitious character.

X We are still unfortunately, because not very honourably, detained in our own country ; and the next instance is supplied by the Pœnitentiale of Egbert, Archbishop of York, in the eighth century. The work is of some length, and is extant in Saxon and Latin. Here, where we are likewise disgusted with the demoralising particularisation of the vilest iniquity, an advance is made in the compounding system. A consideration is had of the different capabilities of the rich and the poor ; the penances are more accurately valued ; and the alms are to be divided into three parts, one to the altar, the second for redeeming slaves, the third to be distributed to ecclesiastic necessities—ut ecclesiasticis necessitatibus distribuatur. After some other matter of the same character, there follows an enumeration of what are called the Twelve Remissions of Sin.*

In the ecclesiastic laws of Alfred the Great, § vi.—ix. something of the same kind occurs ;

* See Wilkins, Conc. Mag. Brit. tom. i. pp. 140, 1.

but it is in the nature of direct fine, not as the redemption of penance.*

We now return to the legitimate and congenial soil of such productions; and in the *Penitentie Romanum*—a collection from a more ancient book of the same name, and others, and strongly characterised by its offensiveness—and there, in an extract from the ancient work and *Theodorus*, tit. ix. cap. xxvi.—xxix. we find the same pecuniary composition for declined penance, adapted in one case, in the proportion of three to one, to the different means of the rich and the poor. The canon derived from *Theodorus* is nearly, if not quite, the same as that given above from *Beda*.†

In the *Canons* subjoined to the *Decretals* of *Gratian*, near the end, is the following note:—*Notandum etiam secundum Jo. si pœnitentia sit imposita a Canone, liberatur quis a jejuniando denarium, vel legendo Psalterium propria autoritate. Innoc. vero dicit, quod jejunia necessaria, ut quatuor temporum, et hujusmodi non possunt redimi nisi subsit rationabilis causa; voluntaria vero redimi possunt etiam sine autoritate Superioris.*

* *Ubi supra*, pp. 192, 3.

† See *Canones Pœnitentiales*, edited by *Antonius Augustinus*, Archbishop of *Tarragona*, Venet. 1584.

✕ To Rusticus, in his Three Capital Offences,
 &c. I am indebted for an important reference to
 Muratori's *Antiq. Ital. Med. Ævi.* ed. Milan,
 1738, &c. and therein to tom. v. coll. 711, &c.
 containing a Dissertation *De Indulgentiarum*
Origine, where the learned Romanist affirms,
 that "in process of time, men dedicated to
 God reduced the entire redemption of penances
 to pecuniary mulcts, which for the most part
 they did not allow to escape from their own
 hands." In col. 741 is the following parallel
 passage—one of those, no doubt, which were
 not very acceptable to Benedict XIV.—*Quare*
ex quo Canones Pœnitentiales in Occidente
prodierunt, et invecta fuit forma ejusmodi Re-
demptionis: multis, ne dicam plerisque, e clero
via lata aperta est ad suum sibi commodum
procurandum, non minus quam alienum. But
 his most important communication is, the Pe-
 nitential Canons of the Monastery at Bobbio,
 near Piacenza, entitled *Pœnitentiæ Ritus e*
Codd. MSS. Monasterii Bobiensis, pp. 723,
 &c. There the rate of compensation, if a peni-
 tent could not fast, was 26 solidi for one year's
 fasting, if rich, or 3, if poor—with a great
 deal more to a similar purpose. The usual
 enormities are included.

It would not be foreign to the purpose, but would lead into an interminable field, to examine at any length the subject of papal indulgences, particularly considered as vendible commodity. That such was the case for some time previous to and at the Reformation, is notorious. I shall therefore content myself with a particular reference to one only document. It is, Alberti Moguntini *Summaria Instructio Sub-commissariorum in causa Indulgentiaria*, in consequence of an occasional Jubilee published by Leo X. for rebuilding St. Peter's church, and first made public from a MS. in the library of the senate of Leipsic, by Kappius, in his *Theatrum Indulgentiarum*, &c. and to be found in *Gerdesii Introd. in Hist. Evangelii Seculo xvi. &c. tom. i. Monum. num. ix.* The whole is abundantly important; but the part most to the purpose in view is § 84. *Item declaramus quod Confessores et Penitentiarii possunt absolvere ab omnibus peccatis quantumcunque gravibus et sedi apostolice reservatis. Exceptis his que superius specificata sunt. Veruntamen in casibus reservatis summo pontifici ac presulibus de jure, bonum est, si persona delinquentis sit magni status et magnarum facultatum, verbum facere cum subcom-*

missariis; et tacitis nomine et cognomine, solum expressis qualitate delicti, aut delinquentis facultatibus, de taxa cum eis deliberare ac aliis eis imponendis penitentiis.*

The historians of the Reformation must generally be referred to for documents—of the unlimited but obscure claims of the Pope respecting the power of pardon and indulgence, of absolution from the guilt (*culpa*) as well as punishment (*pœna*) of sin, with conditions, all easily dispensed with, except the pecuniary one†—of various forms of Indulgence, high-sounding and enigmatic, as usual, and admitting of being avowed or disavowed at pleasure and according to circumstances.‡ These two

* The punctuation has been rectified a little.

† See particularly the Diploma of Leo X. to Cajetan, dated Cal. Jan. 1518, in Gerdesii, &c. ut supra, Numb. xiii. Collet, *Traité des Indulgences*, tom. i. p. 25, is puzzled to explain the *culpa*, which he endeavours to confound with *pœna*, although they are always carefully enough distinguished in the pontifical documents. This is likewise the predicament of another very able Frenchman, J. P. Thiers, Dr. en. Theol. *Traité des Superstitions*, iv. pp. 196, &c. It is strange that defenders of the blasphemous form should be reduced to apologize for it by admitting that it is not properly true—not properly true, that a man, pope or not, can remit the *guilt* as well as the *punishment* of sin! Might not any lie be justified on the same plea? See likewise on this *nice point*, Morini Comm. Hist de Pœnitentia, lib. x. cap. xxii. pp. 775—8.

‡ See Gerdesii, &c. *ibid.* Numb. vii.; *Taxæ*, by Du Mont, 1664, pp. 113, &c. Indulgences for thousands of years are found

things, however, are clear, that the instruments in question were intended to excite expectations absolutely unbounded, and that they were designed to be as profitable, in a pecuniary point of view, as possible. The precise meaning, or any precision in the meaning at all, of the terms, or things, *Indulgence*, *Plenary*, the actual benefit obtained, whether temporal, spiritual, or purgatorial, all, or some, and what, with other points, are matter of debate and uncertainty even with the authors themselves.* But quite enough was certain for

in many of the early printed Horæ, and are inscribed, and to be obtained in the Seven Great Churches of Rome in the present nineteenth century. See *Fiscus Papalis* by Crashaw, 1621, and more especially the acute, but not unexceptionable authoress of “*Rome in the Nineteenth Century*.” Letters xli. &c.

* See Collet, and Bellarm. de Pœnitentia. It seems from Paolo Sarpi’s account of Adrian VI.’s attempt to settle the doctrine, and reform the distribution, of Indulgences, that both the nature and the value of them were matters of uncertainty with the head and rulers of the Roman church; and the chief penitentiary (a very competent judge) declared, *Che intorno al valore delle Indulgenze, la querela è vecchia, e ancor dubia*—the question concerning the value of Indulgences is old and yet doubtful. *Concil. Trident.* pp. 21—23, Genev. 1629. Crashaw, in his *Mittimus*, or *Rates*, &c. in the Second Part, pp. 42, &c. has detailed the difficulties and hesitations of Bellarmine on the subject. And the lively authoress of “*Rome in the Nineteenth Century*” informs us, that, on repeatedly inquiring of a simple-minded young friar in what an Indulgence—a plenary one—consists, she could extract no other answer than, that it is a mys-

their purpose—and happily for *ours* likewise ; for their easy security, or the necessity of the case, has left and perpetuated monuments, which it has long been impossible for them to destroy or conceal.* And among them those which we are now about to examine, and to which the preceding statements will have sufficiently introduced the reader, are not the least important and remarkable.

tery. Letter lii. Indulgences, however, were so flourishing a speculation, and had increased so enormously, that it was found necessary to weed this wilderness, in order to find room for fresh plants. In 1678 two Decrees were passed at Rome, abolishing a vast number of Indulgences called apocryphal. Collet. *Traité des Indul.* tome i. pp. 413, &c.

* In evil, practice always much outruns permission. A hint is often sufficient. And in cases far beyond those of simple permission, how can it be a matter of wonder, that the most unbounded licence was practised as to the purchase of pardon and absolution? We have a remarkable statement to this effect, as our own country is concerned, in the Homily, *Of Good Works*; and it contains evidence peculiarly worthy of regard. The homily is with satisfactory evidence given to the pen of Cranmer. At a time, when from their very circumstances, the reformers must have sustained, and therefore known, both characters, that which they had left as well as that which they assumed in its place, it was perfectly idle to suppose, that they would, or could, *misrepresent* Popery. Distance of time, and change of circumstances, enable modern Papists to advance the charge; and it is indeed their great Palladium. But so was it not when the homilies were published; and, in that referred to, the fact and notoriety of the Sale of the supposed Merits of Saints is established beyond all possibility of doubt. “Sects and feigned religions were neither the forty part so many among the Jews,

The Roman Tax-Tables, (for such they may very appropriately be called,) are certainly a considerable advance and improvement upon the simple Indulgence, under which they class ; for there, absolution for the grossest crimes—perhaps for *all* crimes—is expressly set to sale at specified prices—without any allusion or admonition respecting the two first parts of Penance—although, if mentioned, they would probably occasion no impediment. But, in the penitentiary part, *that* which chiefly occupies us, the whole is nothing but bare absolution, or dispensation, or licence, &c. for Grossi, or floreni, or ducats—Pounds, shillings, or pence.

To what times or persons the origin of these small and *precious* volumes is to be assigned is

nor more superstitiously and ungodly abused, than of late days they have been among us : which sects and religions had so many hypocritical works in their state of religion, as they,” the papists, “arrogantly named it, that their lamps, as they said, ran always over, able to satisfy not only for their own sins, but also for all other their benefactors, brothers, and sisters of their religion, as most ungodly and craftily they had persuaded the multitude of ignorant people, keeping in divers places, as it were, marts or markets of merits, being full of their holy relics, images, shrines, and works of supererogation ready to be sold.” More follows to the same purpose.—It is observable, by the way, how familiarly the writer speaks of the *sects*, into which *the* “*religion, as they arrogantly named it,*” i. e. Popery, was divided at the time. It was then well known that the assumed *Unity* of the apostolic church was a perfect farce.

perhaps impossible to be determined. The least objectionable part, indicating only unprincipled cupidity and rapacity, the Chancery Taxes, may with certainty be traced back to Pope John XXII. who reigned at the beginning of the fourteenth century, and is celebrated by papal* as well as other historians, for his immoderate extortion by the dexterous management of benefices and by other means, and for the immense wealth which he accumulated and left behind him. The frequent and exclusive reference to the *Liber Jo. XXII.* in Leo Xth's *Taxe Canc. Apost.* published 1514, place the fact beyond a doubt.

Polydorus Vergilius indeed expressly ascribes the origin of some such Taxes to him. *Taxationes item constituit, per quas taxatis, hoc est, æstimatis sacerdotiis, quæ ipse contulisset, caperetur vectigal.* He proceeds, *Rem vero omnem ad Apostolicæ pœnitentiariæ, quam dicunt, curam pertinentem, Benedictus XII. (is sedit ad annum 1335) omnium primus excogitavit, et taxationes literarum ordine constituit.* I am indebted for this quotation to S. du Mont's *Taxæ*, p. 134. The passage in P. V. is lib. viii. c. ii. fol. m. 487.

* See Ciaconii *Vitæ et Acta Pontt. &c.* Tom. ii. p. 395, ed. 1677.

In considering the *Taxæ* themselves I shall, firstly, enumerate all the known editions, chiefly from the laborious and accurate Panzer, adding the letter M. to those which are described by Marchand; and then I shall offer some remarks founded upon an examination of the contents of some of them.

I. *Regule Ordinationes et Constitutiones Cancellarie Sanctissimi dni nostri domini SIXTI Divina Providentia Papa IIII. scripte et correcte in Cancellaria Apostolica*—date in crastinum assumptionis sue ad summi Apostolatus apicem, videlicet die decima mensis Augusti anni a Nativitate Dni MCCCCLXXI. In fine: *Lecte et publicate fuerunt supradicte regule in Cancellaria apostolica die martis vicesima septima mensis Augusti anno dni MCCCCLXXI. Post quæ: Sequuntur Taxe Cancellarie Apostolice, et primo de Expectativis Rubrica.* Marchand, who had an imperfect copy, adds, “in xxxi paragraphs or chapters of different length.” It is in quarto, and the whole occupies but 9 leaves, or 18 pages, with the average of 35 lines in a page. See a particular account of a perfect copy in the possession of Lord Spencer in the *Rev. T. F. Dibdin’s Bibliotheca Spenceriana*, vol. iii. pp. 488, 9. Although without name of

place or printer, no doubt can be entertained, that it was printed at Rome.

Panzer has in his own collection another, and evidently varying, copy, of the same date: but it does not appear whether it has the Taxe. Fol. 16, b, begins *Regule expectativarum*. Tom. ix. p. 273.

II. *Taxa Romanae Cancellariae et Pœnitentiariae*. In fine: *Finis est, laus Deo*. Impressum quidem Rome prid. Kal. Maii, 1479, foll. 16, 4. Denis Suppl. p. 110.

III. *Regule, Ordd. et Constitt. Canc. SIXTI IIII. Pape*.—In fine *Lecte et publicate fuerunt suprascripte Regule Rome in Cancellaria Aplica die Martis xii. Dec. Anno Dni MCCCCLXXX. indictione xiii. Pontificatus prefati S. d. n. Pape Sixti anno decimo*. Adhærent *Taxe Cancellarie Apostolice*, 4. Marchand says he saw a copy in a sale at the Haye, about 1730.

IV. *Regule Ordd. et Constitt. Canc. S. D. INNOCENTII Pape VIII. cum Taxa Apostolica et Pœnitentia*. Rome, 1486 in 4. *Biblioth. Menagiana*, p. 164. This is mentioned only by M. although Panzer has, under the same year at Rome, the *Regule* only.

It is possible, therefore, that the *Taxæ* may

be attached to two Regulæ, &c. mentioned by Panzer, No. 416 and 422, under the year 1487, particularly as they are not mentioned by him in one of the Regule of the year 1491.

V. Regule Ordd. et Constitt. Canc. S. D. N. D. Innocentii div. prov. Pape VIII. &c. Lecte, &c. 28 Marcii, 1489. Fol. 35 a. Taxe Cancellarie Apostolice sequuntur. Et primo de gratiis expectativis. In fine fol. 18, a. Taxe C. A. finiunt feliciter. Steph. Planck. 4.

VI. Regule, &c. cum Taxa. Rome, per Stephanum Planck, 1491, in 4. Biblioth. Imper. p. 99. Biblioth. Hohendorfiana, tom. ii. p. 10. M. What Audiffredi, in his Edd. Rom. Sæc, xv. adds, is important. After the Regule in the copy Biblioth. Alterianæ follow, according to his representation, I. Taxe Canc. Apost. II. Taxe Sacre Penitentiare. III. Stilus Romane Curie.—The character of the Regule and the Stilus is the same: that of the Taxæ larger; both Gothic. pp. 301, 2.*

* On the authority of the Bibliotheca Selecta of Messrs. W. Baynes and Son, published in 1826, No. 348, I add, Regule Ordin. et Const. Cancell. Alex. d. p. Papæ VI. Rom. in campo Floræ per Euch. Silber alias Franck, 1499, with their remark: "Audiffredi, Denis, and Panzen, noticing this scarce Tract, have omitted to mention the Table of the *Taxe Cancellarie*, appended, which is executed in the same type, and probably was originally published with the Constitutiones." This copy

Marchand supposes that they may appear in the *Regule Canc. Ap.* printed at Paris by Bocard, 12, 1499 ; but from inspection I can affirm, they do not.

VII. *Taxe Canc. Apost.* foll. 18. *Et Taxe sac. Penitentie Apost.* foll. 4. Barth. Guldinbeck. 4. This appears to be the copy formerly in possession of Dr. Moore, Bp. of Norwich, and now in the University Library at Cambridge, numbered in the *Cat. Libb. MSS. Angliæ et Hibern.* in the enumeration of the early printed books of Bp. Moore, No. 157. Another copy appears No. 55.* See tom. ii. pp. 380, 2.

VIII. *Taxa Cancellarie Apost. sub Pontif. Sixto IIII.* lin. 28, foll. 10, a. *Bibl. Josch.*

was sold to B. H. Bright, Esq. 36, Cadogan-place, Chelsea ; and from information obligingly furnished by him, I discover, that the *Taxe*, which, I apprehend, are quite unconnected with the other work, contain that portion which stands first of the *Four* in the Parisian edition of 1520, XVIII. or in the *Oceanus Juris*, XXIII. but is imperfect towards the end.

* Of this a friend enables me to say, that it is in a locked-up case (Ab. 4. 53.) It is a thin 4to. lettered *Tractatus 1480*. The first tract begins, *Sequuntur Taxe Cancellarie Apostolice et primo de Expectativis Rubrica*, and occupies many pages. Then follows *Taxe Sacre penitentie Aplice feliciter incipiūt.* and ends, *tūc taxa duplicatur.* **D** *Finis taxe 27 Sacre pniarie Apostolice.* It consists of 12 folia, and has no pages, signature, catch-word, date, place, or printer.

IX. *Taxe Sacre Penitentiare*, lin. 29, foll. 16. 4. *Bibl. Josch.* For this and the preceding article see Panzer's *Supplement*, tom. ix. under T.

Panzer has enumerated some other *Regule*, under *Romæ*, which, accidentally only, and as a distinct thing, have the *Taxe* sometimes annexed. No. 486 occurs under the year 1492; and, without a date, 733. No. 897, which has the date 1471, appears to be the second mentioned under the 1st article in this list. There is one of Paul II. printed at Naples, who died in 1471; and another at Louvain of Innocent VIII. who died in 1492. See Panzer's *Supplement*.

X. *Practica Canc. Rom. cum Taxa.* Rome per Jo. de Besiken, 1503, in 4to. M. with the same references as in No. VI. Panzer, however, in the *Provinciale*, &c. which seems to be the same book, does not mention the *Taxa*.

XI. *Taxe Canc. Apost.* Rome. apud Mazochium, 1508, in 4. M. Ibid. p. 11.

XII. *Taxe Canc. et Pœnit. Apost.* Rome, 1509, in 4. *Bibl. Baluziana*, p. 212. *Bibl. Menars*, p. 175.

XIII. *Modus vacandi et acceptandi Bene-*

ficiorum. Item Regulæ et Taxæ Cancellariæ per Julium II. Pont. Romæ MDX. 4. Bibl. Teller. p. 170. Panzer.

XIV. Regule constitt. et reservv. canc. S. D. N. D. Leonis Pape Decimi: noviter edite ac publicate. In fine: Taxe Canc. Apost. per Marcellum Silber, alias Franck, Rome in campo Flore Anno 1512 impresse finiunt feliciter. 4. Vogtii Cat. Libb. Rarr. p. 564. M. Panzer adds, Bibl. Roloff. ii. p. 72.

XV. Regule, constitt. reservv. Canc. S. D. N. Leonis Pape Decimi, noviter edite et publicate. It is in 4to. at the 67th leaf of which is read Taxe Cancellarie, per Marcellum Silber, alias Franck, Rome in Campo Flore, anno MDXIV. die xviii Novembris, impresse, finiunt feliciter. In the copy which Marchand had inspected there were only, 1, the Taxe Sacre Penitentiare Aplice incipiunt, in 4 leaves or 8 pages, containing iv titles; 2, the Taxe Canc. Apost. in 18 leaves or 35 pages, with lxviii titles—the whole number of pages therefore is 43. In the reprint of this edition in 1664, which we shall notice in its place, the order of the two classes of Taxe is inverted. Neither does the number of the titles in each agree. There are but 37 in the latter, and the others

are not numbered, though the divisions are certainly more than four. Copies of the same date, however, sometimes vary, as is the case of the very first known edition. *Regule Leonis X.* were published in 1515.

XVI. *Taxæ Canc. Apost. &c. Coloniae*, apud Gosuinum Colinium, 1515. *Taxe de la Chancel. Rom.* A Rome (Paris) 1744.

XVII. *Taxæ Canc. Apost. Romæ* 1516, 8. Panzer. *Catal.* Pinell. I. p. 191.

And here the *Roman* editions of this nefarious publication, with the exception, perhaps, of one, which shall be noticed, appear to close. The advance of the Reformation in Germany, the succession of Adrian VI. to the pontificate, in 1521, and, above all, the *Gravamina Centum Nat. Germ.* exhibited at the Diet of Nuremberg in 1522, and transmitted to the Pope, to which, likewise, a list of the *Annatæ* and these Taxes was appended, produced an abstinence, or caution at least, which neither shame nor principle could ever do before. The *Regule* published by Adrian, appear to be unaccompanied by the *Taxæ*, whether of the Chancery or of the Penitentiary; unless we should admit one, which Marchand represents as printed at Rome per Steph. Guileretum, 1523, in 4, and

for which he refers to Cat. Bibl. Card. Imp. p. 99. Panzer, however, nowhere mentions it. It would have been desirable to know in what part of the year it was published, if genuine, as Clemens VII. ascended the papal chair in November of that year.

We now change our ground; and after a considerable number of the *Regulæ*, printed at Paris, we arrive, in the year 1520, at the undoubted and justly celebrated edition of the *Taxæ* of both classes, by Toussains Denis, in Paris.

XVIII. The title page is headed by the arms of the Medici, Leo X. being then Pope, and those of France. Then follows the title—*Taxe Cæcellarie apostolice et taxe sacre penitentiariæ itidẽ aplice*. Under a figure of St. Denis, between two angels, holding his own head,* is the editor's name, Toussains Denis.

* The apostle of France, St. Dionysius, or Denys, to whose memory a service on the 9th of October is celebrated, is, in the veracious authorities of the Roman church, the Breviary and the *Aurea Legenda*, positively asserted to have been Dionysius the Areopagite, cotemporary of the apostles. Critics however, even of the same church, have found it necessary to place the Gallican apostle near two centuries later; and although the Breviary represents him as having lived more than a hundred years, it was too great a stretch to extend his age to near three hundred. The more manageable, therefore, of the devotees of Rome have silently, though reluctantly, consented to give up

Venundantur Parisiis ĩ vico sancti Jacobi ad crucem ligneam prope Sacellum Divi Ivonis per Tossanũ Denis bibliopolam cum descriptione Italic ac cõpendio universitatis Parisiensis: et taxis beneficiorum ecclesiasticorũ Regni Francie,

the point; and, with his companions, the unresisting saint is shifted to a more probable station in chronology. But this is not all, nor the most. Wherever the individual may be placed, he is said, on the authorities above adduced, to have been *decapitated* for the faith, *and afterwards to have carried his head in his hands two miles*. Card. Quignon would have softened the precision of the distance by calling it a *long* one. But Pius V. would not bate an atom in so *capital* a miracle. Poor Alban Butler, however, is ashamed of the whole; and, with papal honesty, preterms it altogether. The *fact* is thus described in the *Prosa* of a Roman Missal, Paris, 1520—

Sed cadaver mox erexit,
Truncus truncum caput vexit,
Quo ferente hoc direxit
Angelorum concio.

We have not done with the martyr yet—there is a dispute about his Relics. Ratisbon claims the true and the whole body, except the little finger of the right hand; and Pope Leo IX. determined the question between this city and Paris in favour of the former. And there is still another claimant, Prague, which has an arm. This, and the liquefaction of the blood of St. Januarius, embodied even in the *Roman Breviary*, are perhaps the most atrocious impostures in the whole compass of papal and Italian jugglery. And yet the latter, which in the moderately intelligent and pious could only move contempt and disgust, could be witnessed and written of with gravity and respect by the Rev. the president of St. Mary's college, Oscott. See *Roman Catholic Magazine*, vol. i. pp. 345, &c. and the second vol. These are subjects of awful reflexion! If Christianity were inseparable from popery, the consequence is almost inevitable, that the whole must be rejected in the mass. And although

1520. Cũ privilegio ã triẽniũ. At the end—
 finiũt taxatiões aplice imp̃sse Parrhisiis pro
 Tossano Denis librario cõmorante ã vico divi
 Jacobi ã intsignio crucis lignee prope Sacellũ
 Divi Ivonis. Anno dni. 1520. Die vero. 26,
 mensis Augusti. This is at the bottom of the
 recto of fol. xlii. The verso contains the valu-
 ation of different species of money and errata.
 The book is in 4to. and contains 39 lines in a
 full page. The whole work, which is plainly

such conversions are not noticed and registered, as are those more properly so called, it might be a matter of doubt, whether the church of Rome has converted greater numbers from infidelity to her faith, than from her faith to infidelity. A great part of the infidelity of France at the close of the last, and beginning of the present century, and even now, is, beyond all question, assignable to the inculcated, and believed, and felt identity of Popery and Christianity. Popery is not only an unwarranted addition, it is not only the addition of rubbish: it is the addition of poison; and the poison is not simply poison added, but *poison incorporated*. It is non-attention to this fact, which has made some superficial people, of various rank and station, talk of the *agreement of the Churches of England and Rome in fundamentals*. Dean Swift had peculiar notions respecting comparative music, which he expressed in an epigram. Following myself the laudable example of comparison, I may say, that the notions of the first lord of the treasury on the subject of comparative theology, appear to be *fundamentally the same*, and equally respectable. Happy will it be if the demonstration of the Bp. of Down and Connor can beat a little information into so much spiritual obtuseness and incompetence. The vulgar misconception of religion here reprobated would have been left unnoticed, except for its vulgarity, or general prevalence in all ages, and among all ranks.

perfect, contains only the Taxe, Canc. and Penit. The other articles specified at the end of the title do not appear: they are, however contained in another volume, which might be attached to this at pleasure.* The contents of this volume are important, and will be considered.

I can hardly suppose, that the work of the same year and place, with the variation—sub Signo Solis aurei, referred to by Mornay in his *Mystère d'Iniquité*, p. 656, is really a different one, as reckoned by Marchand.

XIX. *Eædem, insertæ* in *Simonia Curia Romanæ, Carolo V. Imperatori ab Imperii Electoribus, et Principibus in Comitibus Norimbergensibus anno 1522, proposita; eorumque Gravamina centum adversus Sedem Romanam, totumque Ordinem Ecclesiasticum, &c. Norimbergæ, 1523, in 4; et Francof. Bierman, 1612, in 4. Lipenii Bibl. Jur. p. 209, et Theolog. tom. i. p. 746, et tom. ii. p. 768. Vid.*

* This is the case; for in another copy, which I have obtained, they appear in two tracts, the earlier of which has the date 1518. They were therefore appended to the Taxe, and included in the title. Both of them have the figure of the patron saint in the same costume as in the first. In fact, for some time after the invention of printing, the miracle was held in such choice estimation as to be made a frequent biblical ornament by the French.

etiam, Bibl. Cordesian, p. 369; Bibl. Teller, p. 170. This notice is entirely taken from Marchand. Panzer has no mention of this work, although he inserts, under the same year and place, the original and extremely scarce edition of the Centum Gravamina, which has, appended, the Annatæ, but without the Taxæ. Tom. vii. p. 465. The Taxæ are certainly found in Bierman's edition, exactly, as appears on a general inspection, and an examination of some of the most important articles, as they are found in Musculus, Du Pinet, and the French editions since his time. The Papists have made a low attempt to palm the Centum Gravamina upon the Lutherans. It is enough to say, that they are inserted in the Fasciculus Rerum Expetendarum, &c. and that they contain the *doctrine* of Rome.*

XX. Eædem. Coloniae, apud Gosuinum Colinium, 1522. Banck, however, to whom Marchand is indebted for his notice of this edition, makes the date 1523. See Preface to his Taxæ.

XXI. Eædem. Parisiis, 1531, in 12. M.

* This is more completely established, and the document more amply described in my *Memoirs of the Council of Trent*, pp. 4—11.

XXII. Eædem. Parisiis, apud Galeotum a Prato, 1533, in 12. M.

XXIII. Eædem, insertæ in Oceani Juris tomo vi. Venetiis, 1532, in folio. Heidegger and Bayle. M. I do not find this edition in Panzer: but in the edition of that work in 18 volumes, fol. Venet. 1584, the Taxæ of both classes, exactly according with the Parisian of 1520, are found in tom. xv. part 1, pp. 368—380. The whole work is entitled *Tractatus Universi Juris, Duce, et Auspice Greg. XIII. &c. in unum congesti, &c.* The xvth vol. has a varying title, *Tractatus Illustrium Juris consultorum, &c.*

The edition of the Taxæ incorporated in the *Oceanus*, so often, as we shall see, reprinted, is the most perfect and convincing reply to the papal pretence, that the work originated with heretics, or individuals adverse to the Roman See, of any description. This production occupies a prominent position, and no inconsiderable space, in an elaborate national work, published in a strictly papal country; however, like France, on pure secular matters, it might resist the higher powers; and formally dedicated to the pontiff reigning at the time of one of its editions, if not of all.

XXIV. Eædem. Witterbergæ, 1538, Banck, in præf. ad Lectorem.

XXV. Eædem, insertæ in Collectione, cui Titulus, Tractatus ex variis Interpretibus Juris in unum collecti, editique Lugduni, anno 1544, in fol. 12, voll. suntque in tomo x. pp. 131—139, & seqq. Ehingeti Cat. Bibl. Augustan. Vind. col. 269. M.

Subjoined to this notice is a conjecture, that the *Taxæ* may occur in the *Provinciale omnium ecclesiarum Cath. Orb. Univ. &c.* which is printed with *Practica Canc. Apost. &c.* by Math. Bonhomme, Lugduni, MDXLVI; but they do not.

XXVI. Eædem. Parisiis, apud Galeotnm a Prato, 1545, in 12. Drelincourt Repliq. a la Rep. de Mr. l'Eveque de Belley, p. 370. M. This contains the four parts as in the *Oceanus* and the Parisian edition of 1520, particularly the *Pœnitentiaria*. A copy is in my possession. Reprinted in 1625. See No. XXXV.

XXVII. Eædem, insertæ in *Wolfgangi Musculi Locis Communibus Sac. Theologiæ*, tit. xxii. Basil, per Jo. Hervagium, 1554. M. They occur in the second edition, the same place and printer, 1561, pp. 215—225. Likewise, as Marchand adds, in 1566, and 1599.

The *Loci Comm.* were translated by Du Pinet into French, and printed at Geneva, 1577.

XXVIII. *Eædem, insertæ in opere cui titulus, Concilii Tridentini Restitutioni, seu Continuationi, a Pio IV. Pontifice, anno 1562 indictæ, Decretisque tunc editis, opposita Gravamina, quibus et Causæ necessariae et gravissimæ exponuntur quare Electores, Principes, Ordines Imperii, Augustanam Confessionem amplexi, Concilium illud, neque agnoscere, neque adire, voluerint: e Germanico Latine versa a LAURENTIO TUPPIO, cum ejus Epistola Dedicatoria; 31 Martii, 1565, Argentorati: ibi tunc edita.* Bayle, under Tuppianus. M.* Marchand adds, very rationally, that the *Gravamina* themselves are so full upon the subject, that they may be considered as an edition. See in particular the third section.

XXIX. *Taxe des Parties Casuelles de la Boutique du Pape, en Latin et en François.*

* There was another edition of this work by Tuppianus, in 8vo. 1597, without place, but with Printer's name thus: *Excudebat Gabriel Carterius.* The *Taxa Sacræ Pœnitentiariæ* in both is the same as that of *Musculus* and Du Pinet. There is, however, wanting in the reprint the *Epistola Joannis Sturmii de Refutatione Trid. Concilii et dissidiis Religionis*, and another by B. Botzheim to Tuppianus, appended to the first edition. Marchand is not perfectly correct in the title.

Avec annotations prises des decretz, Concilles, et Canons tant vieux que modernes, pour la verification de la discipline anciennement observée en l'Eglise. Par A. D. P. (Antoine Du Pînet). A Lyon, 1564. The dedication which follows, A tous fideles Chrestiens, has the date, 6 Fervier, 1564, small 8vo. It has 173 pages and a Table of Contents. There is a very good satirical engraving in the title page. This edition accords with, and undoubtedly was derived from, either the *Centum Gravamina* or *Musculus*, the whole of whose *Loci Communes*, in which the *Taxæ* appear, he afterwards translated into French. See Bayle. Having this edition before me, I describe it as it exists in my copy. Marchand does not appear to have seen it.

He mentions, immediately after, two editions almost precisely the same, in the same year, and printed at the same place, but having each only 125 pages, and dated 26 Mars. They are distinguished by some difference in the title page.

XXX. Passing over two other editions of the *Taxæ*, in two editions of the *Oceanus Juris*, printed at Venice in 1584 and 1585, we come to an edition of the *Gravamina* in the

year 1597, which, as M. observes, is probably the edition of the *Taxæ Pœnitentiariæ ind. Draudii*, p. 493. *Lipenius*, tom. xi. p. 501.*

XXXI. *Eædem insertæ in Johannis Wolfii Lectionibus memorabilibus et reconditis*, printed at Laugingen, 1600, in 2 vols. fol., in the iid. pp. 825—837.

XXXII. *Taxe des Parties Casuelles, &c. Leide*, 1607, the same as XXIX. but much altered, and without table.

XXXIII. *Eædem*, in *Simonia Curia Rom.* 1612, as XIX. A copy is in the Bodleian Library at Oxford.

XXXIV. *Eædem*, editæ cum *Pragmatica Sanctione*, anno 1613. *Rem. sur la Conf. de Sanci*, p. 117. M.

XXXV. *Numerus et Tituli Cardinalium, &c. Taxæ et Valor Beneficiorum Regni Gallicæ, cum Taxis Canc. Apost. nec non Sac. Pœnit. itidem Apost. &c. Parisiis*, apud Gervasium Alliot, 1625, in 12. p. 290 cum 2 indicibus. The latter *Taxæ* in this volume are exactly the same as those in the Parisian edition of 1520—the four parts entire. Messrs. Howell and Stewart, in their Catalogue of 1829, have given

* This is likely enough to be the edition mentioned in the Note on No. XXVIII.

the name of Jaquelot as the editor ; upon what evidence I know not. I have the book : it is a reprint of the edition, apud Galeotum a Prato, 1545, No. XXVI.

Summa, seu singularis Declaratio, Taxarum, &c. ab eodem, ibidem, 1626, in 12, M. thinks may be a second part, and refers to Bibl. Barberin. tom. ii. p. 434. It relates almost exclusively to Taxes and Expences of Cathedrals and churches, with the forms connected with that subject.

XXXVI. A Mittimus to the Jubilee at Rome, or the Rates of the Pope's Custome-House. Sent to the Pope as a New-yeeres-gift from England, this Yeere of Jubile, 1625. And faithfully published out of the old Latine Copie, with Observations upon the Romish Text, by William Crashaw, Batchelor of Divinity, and Pastor at White Chappel. Lond. 1625, 4to. From the beginning of the advertisement, which begins the book, where it mentions the original in Latin as published at Paris more than a hundred years before, as well as from the contents of the work, it is evident, that it is extracted from the Paris edition of 1520. There are two parts. This is the first English edition of the Taxæ. The

author has added observations, some of considerable value.

XXXVII. Taxæ S. Cancellariæ, Rom. &c. a L. Banck Norcopense Gotho. Phil. et J. U. D. et Professore Frisio, &c. Franequeræ, 1651, in 8. This is a very full and important edition. It is founded on an edition at Cologne, No. XXI; another at Witteberg, No. XXIV; that in Oceano Juris, No. XXIII; and a MS. communicated to the editor at Rome, by the Rev. D. Joh. Baptista Sibon, whom he describes as Patre Monacho Bernardin. et Coll. Roman. Lectore. The learned writer and annotator would have done better, had he given a more exact description of his authorities, taken one as the text, and noticed the variations of the others. It appears, however, upon examination, that he has pretty closely followed the edition in the Ocean. Jur. as *that* does the Paris one of 1520. Besides valuable notes, there is included in this volume, the Nomina Archiepiscopatum, &c. the Annatæ, &c. the Certi Reditus, &c. and an Italian Tariffa delle Speditioni della Dataria. There are more typographical errors than are desirable—of the First Part, tit. xiv should be xv; xv, xvi; the second xvii, xviii; the second xx, xxi.

The Second Part is divided into two sections inconveniently, and has tit. xiii instead of viii in the second section. The edition goes on to *Section* the third and fourth, instead of *Parts*, according to the Paris edition and that in *Oceano Juris*. Then, by mistake, he repeats *Seccio Quarta*, which ought, according to his own division, to be *Quinta*, p. 151, and is so called in the index. In fact, this begins an additional portion of the work—the *Nomina*, &c. And yet he calls an Appendix another *Seccio Quinta*. Marchand supposes a mistake of 400,000 for 4,000 in p. 19, which is probable; and there certainly is a curious one of 1400.81, for the date 1481, in p. 28. This seemed to be the proper place for such merely bibliographical observations.*

* This book was condemned by a Decree of the Cong. of the Index, June 16, 1654; and again Nov. 13, 1662, and inserted in the Index Prohib. of Alex. VII. and to the present time.

I cannot here deny myself the pleasure of transcribing an autograph which is extant in my copy of Banck's book—*A. Serle*, 1776. *inv. Nov. Eborac. in America*. Ambrose Serle, the deservedly celebrated author of several devotional and learned works, was one of the friends, to whom I looked up with veneration and affection in my youth; and his just as well as caustic little volume, "A New Defence of the Holy Roman Church against Heretics and Schismatics," first edited in 1779, and a second time in 1810, is a sufficient and honourable monument of his freedom from the low or treacherous protestantism, which had largely infected the religious world, and helped to produce

XXXVIII. Den Winkel van den Paus. Amsterdam, by Imbrechts, 1661, in 12. This translation is ascribed by Marchand to Clement Keukenius.

XXXIX. Taxæ Canc. Apost. et Taxæ Sac. Pœnit. Apost. &c. gecollationeert, &c. nae't exemplaer van Leo X. tot Romen anno 1514. 's Hertogen-Bosch. (Bois-le-duc) by Stephanus du Mont, 1664, in 12. This is the most exact and important reprint extant. It faithfully represents an undoubted and most valuable Roman edition, the existence of which and the fidelity of the present copy, are attested by two of the Clerks, and subscribed by the Secretary, of the city. The original was deposited with the governors, called IX viri. The first part, Taxæ Canc. Apost. accurately agrees with the first part of the Paris edition of 1520; and the other part, Taxæ S. Pœnit. with the first section of the fourth or last part of the Parisian, and that given in this edition of the

that wretched consummation in 1829, upon which every unpalized Christian looks back with shame and bitterness. The circumstance, likewise, that this book was procured in New York, is pleasingly associated with the fact, that the encroachments of papal ambition and corruption have roused that city in particular to a zeal and exertion in opposition to the foul invader, and in defence of the Christianity he would again defile, which may well put lukewarm and unfaithful England to the blush,

present tract. There is besides, a short extract from the Parisian edition, and a Diploma of Indulgences under Leo X. from the monuments of a church in Driel in Gelderlant, with a form of plenary absolution on confession. Estimates of the value of the monies specified are added, with notes, chiefly from Banck, and an Index.

In my edition the Authentication is in Flemish, but Marchand has given it in Latin, without saying that he translates. And he afterwards gives another in Flemish, very nearly the same, but with additions, to cut off all subterfuge from those who, it is reasonably anticipated, would omit no effort to bring the work into discredit.

Marchand adds, immediately after, another edition of the *Taxæ*, in a fresh edition of *Wolfii Lectt. Mem.* in 1671; and another in *Adami Scherzeri Anti-Bellarmino*, 1681; but that work contains merely a very short extract.

XL. The Book of Rates now used in the Sin Custom-house of the Church and Court of Rome, containing the Bulls, Dispensations, and Pardons for all manner of Villanies and Wick- ednesse, with the several sums of Monies given and to be paid for them. Published By An-

thony Egane, B.D. late Confessor-General of the Kingdome of Ireland, and now through the mercy of God Minister of the Gospel according to the Reformed Religion—Licenced according to order. London, 1674, in 4. It contains 31 pages, but numbered only to 25, by mistake 22. There is a certificate of character by Heads of houses in Oxford. There was a second impression in 1678, London, adding, after the Advertisement, “The New Creed of the Church of Rome—The Indulgence of St. James for the dead.” The Address to the Reader is not so satisfactory as it might be, respecting the source and authority of the edition. It agrees, rather loosely, with that of the *Centum Gravamina*, and what follow it: but should appear to be copied from no printed edition—it was probably in MS.*

* There was published by this writer “The Franciscan Convert, or a Recantation Sermon of Anthony Egan, late Confessor-General, &c. preached [at St. Maudlin’s in Old Fish Street] London on April 6, 1673, to which is annexed a Narrative, &c. and Commendatory Letter by his Superior &c. London, 1673.” The words within brackets are added by Wood, so that there must have been two title pages or two editions in the same year. From the Sermon it appears that his conversion was rational; and that after it he was shot at while preaching in a protestant place of worship. The Narrative relates several other attempts to injure or kill him, so that the Lord Lieutenant was obliged to afford him public protection. It should be said, that previously

XLI. Taxe de la Chancellerie Romaine, et la Banque du Pape, ou l'absolution des crimes, les plus enormes se donne pour l'argent, &c. Augmente d'une nouvelle preface. A Londres (Amsterdam) 1701, in 12. The same edition as No. XXIX. pp. 155, with index.

to his open declaration of his conversion, he had obtained from the Guardian of the Society to which he belonged a testimonial of his character as *verum obedientiae filium*. Not however feeling secure in his own country, he came to England, and in 1673 settled at Oxford, as is mentioned in the text. Ant. Wood says he continued there about four months, and obtained above £60 in charity, from whence he proceeded to Cambridge, "thinking to obtain there the like sum, and when that was done, to return, as 'twas commonly then reported, to his former religion." There was probably no foundation for this suspicion, but the known anti-protestant bigotry of the writer. But this has been honey for such illiberal Romanists as Dr. Milner. In 1674 he published the "Romanists' Designs detected," &c., which was republished in 1678, London, with a slight variation of title—"Papists' Designs," &c. It consists of papal documents from Contzen and Costerus, Urban VIII's bull and letters instigating rebellion, &c. It would be desirable to know more of this individual: but our biographers, who can spare pages by wholesale for persons well known, or not worth being known, pass over with perfect unconcern names, for which almost alone a dictionary is consulted, or at least needed. It would be almost a self-condemning title: but really a dictionary of obscure individuals would be one of the most acceptable and valuable presents which a literary man could make to the reading public. Egan is worth twenty poets and novelists. The snarling Wood is the only memorialist of this useful writer, of whom no substantiated ill is known. See *Athenæ Oxon.* last edition, vol. iv, *Fasti*, coll. 342, 3. We owe, however, much gratitude to a laborious compiler, who, where his prejudices do not interfere, always instructs and gratifies.

XLII. *Taxæ Canc. Apost. et Taxæ S. Pœnit. Apost. juxta exemplar Leonis X. Pont. Romæ, 1514, &c. Sylvæ-Ducis, S. du Mont. 1706, in 8.* This is a re-impression of No. XXXIX. and said by Marchand to be rare.

XLIII. In R. Steele's *Romish Ecclesiastical History of late years, Lond. 1714, in 12,* is contained, at p. 107 and seq. "Extract of the *Taxæ Camerae, seu Canc. Apost.* The Fees of the Pope's Chancery; a Book printed above 100 Years ago, by the Authority of the then Pope; being a Table, or List, of the Fees paid him for Absolutions, Dispensations, Licences, Indulgences, Faculties, and Exemptions." It agrees with the Paris edition of 1520; but was probably derived from the edition in the *Oceanus Juris*.

XLIV. *Taxe de la Chancellerie Romaine, ou la Banque du Pape, dans laquelle l'Absolution des Crimes les plus enormes, &c. A Rome (Paris) 1744, in 12.* This, like No. XLI. is another edition of A. du Pinet's, with some addition in the Text, and considerable ones in the Notes, Memoirs, Dissertations, &c. Most of them convey interesting information: but in what is appropriate it fails considerably. The number of editions described is very limited, and the whole account confused.

XLV. Taxes des Parties Casuelles de la Boutique du Pape, Redigees par Jean XXII. et publiees par Leon X. selon laquelle on absout, &c. Par M. Julien de Saint Acheul. Paris, chez les Libraires de Theologie, 1820, in 8. This edition has restored the first part of the title of Du Pinet's, of which it is a re-impression: but it is singularly unfortunate in the remainder, particularly in the implication, that these are the same Taxæ as those published by Leo X. And it is likewise a matter of surprise, that writing after Marchand, the editor should apparently have taken no advantage of the great accession of information on this subject contained in the Dict. Historique. No advance whatever is made in critical information; and the new matter might without loss have been spared. It occupies 528 pages with an Index. In the last edition of Bayle's Dict. in a note under Pinet, we are informed that this edition appeared in Spanish in 1822.

The very important MS. Collection of the Taxæ in the British Museum will be shortly noticed, and presented in considerable detail.

From an examination of the contents of several of the preceding volumes, it appears that they belong to two distinct classes.

The first is that, first given in the *Centum Gravamina*, and appended to them, described No. XIX. and copied by *Musculus*, No. XXVII. by *du Pinet*, No. XXIX. by *Wolfius*, No. XXXI. by the Paris editions, which follow *du Pinet*; and substantially by *Egane*. This recension, (if we may adopt a term from sacred criticism to avoid the ambiguity of the word, edition,) is distinguished by the appearance of some grosser crimes, to which prices of absolution are affixed, than are to be found in the other. From what sources the German Princes at the Diet of Nuremburg derived their information does not appear; but, that such sources existed, and were not inaccessible, is sufficiently evident from subsequent experience on the same subject; and the responsibility of their station and duty, together with the publicity of the act, are a sufficient guarantee of their fidelity and accuracy. Neither can any objection be deduced from the enormity of the offences thus made pardonable for money, since those very offences are specified in the Penitentiary Canons, with their assigned penances and the commutability of these by pecuniary mulcts. Some surprise has been excited by the moderation of the taxes in these and similar cases;

but it has been suggested, as a reply, that the number would probably effect quite a sufficient compensation. Those of unfrequent recurrence are by no means lightly charged. This class is perhaps the least authentic of the two, having never appeared in any Roman edition, but, excepting the first, in protestant editions only; and being comparatively easy of access, it is the less necessary to present a detailed account of its contents.

The other class will occupy more of our attention: and this appears to be exhibited in the greater part of the remaining copies of the *Taxæ*. At all events, in what degree this is the case will be submitted to the reader. Of what character the *Taxæ* in the first known printed edition, that of 1471, are, I am unable to determine from inspection. But from the circumstance, that they begin with the words, or title, *et primo de Expectativis*, which form the commencement likewise of one portion of the *Taxæ* of Leo X. printed in 1514, I infer that, so far, they are, at least, substantially the same. From the limits of the book, however, as already stated, it should appear to extend no farther than to that portion, and *that*, in a more contracted form. And it may here

be proper to observe, that as every new Pope claimed the right of enacting new Regulæ, Constitutiones, &c. so it is very far from improbable he might assume the liberty of altering the Taxæ.*

Of the contents of the subsequent editions to that of Leo. X. I must likewise profess my ignorance: but of Leo's the reprint of S. du Mont enables us to form a judgement. Whether the order of the two portions, of which it consists, be inverted or not, is of little importance. One has the title *Taxæ Cancellariæ Apostolicæ incipiunt*; the other that of *Taxæ Sacræ pœnitentiariæ Apostolicæ incipiunt*. The orthography is probably modernized as to the diphthongs. These two kinds of Taxæ, however, as here exhibited, appearing to be found in the more copious one of Paris, in 1520,—they certainly agree in all the articles of importance, and, as far as a very careful comparison will warrant the conclusion, appear to do so throughout—it will answer the same purpose, and in other respects will be more satisfactory,

* That this was the case is very evident, from an inspection of the Regule, &c. of Innoc. VIII. printed at Paris, 1499; particularly from the Prohemium, and from the last Regula, containing Revocations of preceding ones. See likewise Bullar. Mag. passim.

to examine them, together with the additional parts, as they stand in that celebrated edition.

The Parisian edition of 1520, described No. XVIII. on the verso of the title-leaf, and after the licence signed, *Ainsi signe Ruse*, has a short address of the Printer to the Reader, in which he states, that he had received several copies of the *Taxe Canc. ac. Penit. Apost.* which he did not incorporate into one book, lest he should fall into some omission, and which therefore he printed in four parts, designated by the capital letters, A, B, C, D. To a separate index to each he had however added a general alphabetic one.

The first part, A, is inscribed, *Et primo de gratiis expectativis*, is divided into thirty-seven *Tituli*, although not numbered, and appears exactly to agree with the corresponding part of the edition of Leo X. as reprinted in 1664, and with the first part of Banck's. It extends from fol. i. to xvi. and consists of taxes upon numberless circumstances relative to ecclesiastic benefices, dispensations, absolutions, licences, indulgences, remissions, exemptions, translations, &c. &c. estimated in grossi; among which may be noticed, *litera absolutionis a Symonia*, g. xvi. *remissio facta uni diviti de*

male ablatis taxetur ad g. l. pauperi vero, g. xx. absolutio generalis in libro Jo. xxii. g. xvi. absolutio ab excessibus et delictis pro uno laico, g. xii. indulgentia tertiæ partis peccatorum, g. c. &c. &c. When the first person is used it is plural. The principal circumstance, however, remarkable in this portion is, the repeated, about nine times, and exclusive, reference to the Liber Johannes XXII. from which it seems to be a reasonable inference, that, to the time of Leo X. considerable deference was paid, in this class of Taxes, to the former pontiff, as their presumed author, or first reducer to form.

The second part, B, has the following inscription, Taxe Cancellarie apostolice cū certis notabilibus juxta stilum hodiernum Romane curie. Et primo de absolutionibus. This occupies from fol. xvi. recto to fol. xxv. and is found in Banck's edition beginning at p. 55. It consists of twenty-three tituli, as in Banck, but not numbered. The subjects are not very distinguishable from those in the former part: but the writer speaks of himself in the singular number, and refers not to Jo. xxii. but to *liber antiquus*, De unionibus, fol. xx. verso. The book, (for it appears to have been separate), was written in 1513; for the author writes, ita

sum expertus hoc anno M.CCCCC.XIII. fol. xix.
But it is in this book that is contained that
most notorious passage, under the title of De
matrimonialibus,

Dispensatio de contrahendo in cognatione
spirituale.....g. lx.
Expedivi tamen unam pro. g. l. sed de gra-
tia g. l.

Idem est judicium in secundo gradu: et compo-
nitur cum datario in maxima summa ali-
quando. ccc. et etiam cccccc. et alias juxta
qualitatem personarum.

Et nota diligenter quod hujusmodi gratie
et dispensationes non conceduntur paupe-
ribus quia non sunt ideo non possunt con-
solari fol. xxiii.*

The third part, C, from fol. xxvi. to xxxv.
in Banck, commencing from p. 88, has no

* This measure in the distribution of spiritual favour in the
papal church is not feebly expressed in the Epilogue to the
Spanish Friar, by the author of the Hind and Panther—

Fear not the guilt if you can pay for't well,

There is no Dives in the Roman hell.—

They boast the gift of heaven is in their power—

Well may they give the god, they can devour.

It is sickening, although instructive, to observe, how Roman-
ists, in whom it might be hoped the moral principle was not so
degraded, can slide over the delinquencies of individuals of their
own communion, particularly converts. Dodd, in his Church
History of England, where he gives an account of John Dryden,

general title, except in the index, which is, *Alique regule*, and contains twenty-three tituli, so numbered in Banck. There is nothing remarkable in this portion, except that it consists strictly of *Regulæ*, without any *Taxæ*, although

vol. iii. p. 459, observes, he “was author of a great number of occasional pieces, and of twenty-seven plays, written in the space of twenty-five years: which are still read with pleasure and the general approbation of the ingenious, notwithstanding the severe criticisms of many, that envied his exalted merit”—and this, without the slightest allusion to the notorious and revolting profligacy of a great portion of his productions! By way of apology for these offences, it has sometimes been alleged, that his life was unstained, which, if true in the very limited sense in which it can be, is only to say, that he was not impelled to write wickedly by headstrong passion, but hired so to do by hope of gain or bad popularity—his vice was without even the low extenuation of natural and appropriate temptation. If the morality and necessities of Rome were unknown, we should wonder at the degradation to which she will stoop for an ally; and the fact, that her sons refuse not libations to their goddess from the foulest kennels of human depravity would appear incredible, were it not notorious, that a son of Anacreon, in whose heart libertinism and inhumanity appear to contend for pre-eminence, has been publicly accepted and accredited as a worthy advocate of the Holy Roman catholic church. A crown was wanting to the piece, till the power of dispensing national reward was prostituted to the bestowal of a pension on the corrupter of public morals and the heartless derider of the persecuted Protestant clergy of his country.

Were it not so long, I could with pleasure transcribe a part of the speech of the Rev. M. O’Sullivan at the Protestant Meeting in the Shire Hall, Hereford, Sept. 9, 1835, on a subject so edifying as the truculent Anacreon of modern England, or the Irish gentleman in search of a religion yet to seek. But I will do my best to extend the circulation of the concluding portion.

relative to them ; and the writer, who is evidently an official person, designates himself in the singular. Et ego habui pro Archiepiscopo specialem, (signaturam), sub Julio (II.) cum anticipata solutione. viii. annorum. et pensio erat xxv. fl. auri de camera. In fine.

The last part, D, is by far the most important, and entitled *Taxe sacre penitentie apostolice*, from fol. xxxvi. to the end, fol. xlii. In Banck it is found entire in p. 125, and the following ; and for the first section, (it being divided into two), it has a perfectly corresponding portion in the edition of Leo X. and that in the present pages. This first section is divided into eleven tituli, numbered only in

“ But why,” (says this consummate orator,) “ do I disgust you with the thought of it ?”—the wanton and heartless ridicule of the Irish suffering clergy ? “ Because the Government, which will not give the famishing clergy of Ireland bread, unless they purchase it by selling their souls, have pensioned the author of this unmanly sarcasm over their griefs, and over the scarce-closed graves of martyrs whose names shall endure for ever. Was this a time when a government which desired good for the Church of Ireland, should have chosen to pension its calumniator ? They knew Mr. Moore’s deservings, for five years they had power to give him his reward, and during the five years of power he was unremembered or neglected ; but he insulted a virtuous and afflicted body of Christian men ; he defamed them, he reviled them, he made their sufferings the theme of unmanly merriment ; and as soon as he had disgraced his genius by this pusillanimous atrocity, he is lifted up into the sunshine of ministerial favour, and largely pensioned.”

Banck. The reader must here carefully recollect, and attend to the fact, that this portion is no more than an exact reprint of the papal copy of 1514, and either that, or the copy in this tract, was probably used by the French editor in compiling his volume. And then he is to be told, or reminded, that here we have a regular priced catalogue of absolutions, for, specifically, most of the worst crimes which can be committed, and, by general expression, for all :—

Absolutio pro illo qui in ecclesia cognovit
mulierem et alia mala commisitg. vi.
Absolutio pro concubinario, &c.g. vii.
Absolutio pro eo qui matrem sororem aut
aliam consanguineam vel affinem suam
aut cum matrem carnaliter cognovitg. v.

With more to a similar purpose.

Soon after, with respect to marriage within prohibited degrees, (which were multiplied infinitely,) we have the intimation, *Et debet concordare cum camera apostolica*. This section, it is important to observe, agrees almost verbatim with the copy given in this work; and by noticing the variations, we shall have the advantage of a perfect representation of the text, and of the confirmation which it affords to that

antient and original document. But the reader will have the opportunity of judging for himself.

The other section bears the title, *Summarium literarum expediendarum per officium sacre penitentie apostolice*. It contains matter somewhat similar to that in the preceding section, and closes with the title, *Absolutio de homicidiis*. And here is the proper place for the observation, that the absence in these *Taxæ*, of the more offensive articles to be found in the First Class, can only entitle them to the diminished reprobation of not being so bad as the worst, and of being more reserved, only because shame and exposure had made caution more necessary. But indeed, what crime can be imagined, which may not be comprehended within the boundless circumference of—*et alia mala commisit*?

It may just be repeated, that the Parisian edition is exactly copied in the *Oceanus Juris*, but, which is to be regretted, without any introductory matter, and that Banck's edition entirely, and du Mont's in the parts which have been specified, represent the same. As relates to Banck's, it would have been very desirable, had he followed any one specified

edition of those which he used, and noticed the variations of the others. We should then have obtained some distinct acquaintance with each; and some inferences of more or less moment would probably have resulted from an inspection of their discrepancies. These might be, and probably were, considerable.

I have abstained from giving any account of the edition which appears in this book, and constitutes the main, or most important portion, both on that account, and because it wants a date. The circumstances, proofs, and probabilities respecting its age and value will be seen in the appropriate place.

I will now introduce the promised account of the MS. collection of these *Taxæ* in the British Museum. It is found in the Harleian department; and is described in the last Catalogue of the MSS. in it, in 4 vols. fol. 1808, in Vol. II. pp. 262, &c. It consists of two volumes, small folio. Num. 1850, 1, 2, written on vellum, having every appearance of genuineness and coeval antiquity—that is, the former part of the sixteenth century. These volumes were withdrawn from the Archives of the Roman Chancery on the death of Innocent XII. by John Aymon, Apostolic Prothonotary; and bought

of him in Holland at a great price by the Earl of Oxford.* They contain copies of the Taxæ, both Cancellariæ and Pœnitentiariæ, in various forms. An extended and able account is given of these interesting volumes in the Catalogue, which in this part is written by the celebrated Mr. Wanley. But in the following far more extended account, I entirely rely upon my own examination, which was careful, and I am sure, in the main, accurate.

HARL. CAT. Num. 1850, 1851.

TOM. I. foll. 1—199.

Brackets, with a space between, thus [] signify, that the words, or sentences, for about the same space, could not be made out by the writer.

Fol.

1. Circa Expeditiones Beneficiorum Consistoralium, &c.

Roma &c.

* This learned and useful writer is accused of other acts of literary abduction, particularly from the Royal library in Paris. It is to be lamented that he had not so far unlearned the morality of the church, in which he was bred. This circumstance, however, does not detract from the great and acknowledged value of his literary productions. The account of Aymon in Chalmers is derived from the interested and justly suspected pen of Moreri.

2. Leo ppa X mus.

Motu proprio &c. Ad tollendam dubitationis causā super Unionibus incorporationibus vel cōmendis ecclesiā monasterior et alior beneficior &c. Datum Roma apud Sanctū Petrū die sexta Februarii 1514 Pontificatus nri Anno primo.

Placet et ita motu ppō mandamus.

3. Bulle Monitorii—Abs—Forma Juramenti Julios—Bulla eccle cath—Abs—Forma i Jul.

1—115. [These folia contain an alphabetic list of the churches, with the taxes to which they are subject, and of which there are various printed copies with slight variation. It begins with the churches of Rome.]

Romana eccla Abbates infrascriptos sub se continet &c.

Psuli de Urbe &c.

Auxitan—Antissiodoren—Andegaven—Attreb. &c. &c. [to Z] Zappaten.

[The Harleian Cat. has extracted the *English sees*, &c.]

117. TAXE SACRE PENITENTIARIE.

De contrahendo in 4^o consanguinitatis.....gr. 17

- De ignoranter ctracto et csumato in*
eodgr. 17
- De scienter ctracto et csumato in*
eod.....gr. xxi.
- De contrahendo in 4º csanguinitatis*
pro illis qui hmdi impedimentum
scienter pluries sese actu fornicario
cognoscunt et prolem procrearũt Ve-
nit Bulla expeditionis ad gr. 48 et non
est compositio pro illis qui ignoran-
ter contraxerunt et scienter consu-
marunt est eadem compositio sicut
de scienter ctracto et consumato.
- De contrahendo in 4º csanguinitatis*
pro illis qui ignoranter hmdi impe-
dimentum pluries sese carnatr cog-
noveruntgr. 21
- De contrahendo in 4º pcedentibus*
sponsalibusgr. 17
- Pro illis qui ignoranter contraxerunt*
et consumaverunt et postmod perve-
nit ad noticiam ordinarii qui separa-
vit illos et petant qd possint contra-
here de novo si parrverit sine divor-
tii bulla venit ad carl 17
- Quando vero non parrveri sine divortii*
sed illa non obstante iterum carnatr
sese cognoverunt et volunt habere
legitimationem prolis susceptæ post

prima et []

Bulla venit adgr. 41 aut 44

Si volunt habere legitimationem prolis
suscepti post sententiam divortii
tunc bulla venit adcarl 21
et absolvuntur a Reatu fornicationis
et excessib.

In tertio et 4^o consanguinitatis

[&c.]

In simplici 3^o [&c.]

De publica honestate [&c.]

In cognatione spirituali [&c.]

De compaternitate [&c.]

Super defectu natalium [&c.]

De promotis et promovendis [&c.]

De licentiis [&c.] Licentia cele-

brandi ante diem36

121. *De homicidio.*

Absolutio pro laico qui interfecit lai-
cum diabolo instigante20

Absolutio pro qui interfecit clericum
sive pbrum aut aliquem in sacris
ordinibus constitutum2)

Absolutio pro pbro vel clerico seu con-
stituto in sacris qui alm clicũm vel
pbrum aut laicum voluntarie inter-
fecit si talis est eterne interdicitur
sibi ascensus ad superiores ordines.
Si vero est pbr suspenditur perpetuo

a suorum ordinum executione. Et si haberit beneficium curatur ut in opprobrium ejus mendicare cogatur datur retentio beneficii dumodo faciat deb mnm p alm cui provideat de congrua portione fructuarii ejusdem beneficii.

Si vero habeat beneficium sive sit clericus [religionis] sive Sacerdos datur dispensatio ad unum simplex obtinendum si ex fructibus unius sustentari non poterit ut possit obtinere duo simplicia et talis absolutio taxa et venit adgr. 54

Si vero voluerit inhibitionem dumodo accusatus inquisitus aut in judicio legitimo condemnatus taxatur 12 ultra et sic est taxatus30

Bulla venit ad ducatos septem

Absolutio pro pbro vel clīco ab homicidio veniali vel causa defensionis gr. 102

In tali homicidio dedit opera Rei liciti.

Si vero non dederit Rei illicitigr. 66

Absolutio ab homicidio cum retentione bonorum et dispensatur super irregularitate ad altaris ministerium cum reb infamia et inhibitione

gr. 101 aut 102

*De declaratoriis Juris.**Declaratoria* juris super homicidio

Qui vi repellendo mortem aliter evadere non valensgr. 24

Declaratoria juris pro illo qui religios aliquem et metu ingressus et in eo professus fuit qd possit remanere in seculo ut pbr secularis
 122. si est pbr Si est laicus qd possit contrahere vel aliam vitam ducere24

Declaratio juris pro matrimonio vi metuque contracto24

*De confessionalibus lacticiniis et**Altaribus portatilibus.**Confessionale* ad Quinquennium pro

una personaCarl. 3

pro viro et uxore 5

Confessionale perpetuum pro una per-

sona 20

pro viro et uxore 22

pro religioso [.....].. 36

Altare pro una persona 24

Lacticinium pro una persona 18

pro viro et uxore..... 20

pro viro uxore et liberis..... 36

Lacticinium aliquando et sepe datur

pro una civitate alicujus oppidi tax-

atur sepius ad c L^{ta}

*Comutatio votorum et ultimarum
voluntatum.*

Comutatio ultime voluntatis.....gr. 45

Et nunquam mutatur testatoris voluntates nisi propter ultimam causam.

Comutatio pro illo qui in infirmitate constitutus voluit ingredi religionem et profiteri si ab hmodi infirmitate liberaretur.....45

Et eadem est comutatio pro illo qui in periculo maris comutetur venit similiter pro muliere. Et opus est dicier quod non venerunt solemter ut coram ordin et testatur [] als non possit comutari nisi cui componitur cum datario.

Item opus dicier quod non sperant posse apud.

* * * * *

Item est taxa pro illis qui voverint castitatem et postea volunt contrahere. *Item.*

Nota quod pro illis qui jam fregerunt votum non taxatur tm et absolvitur a transgressione Et datur eis quod possunt remanere in matrimonio contracto.....gr. 22

Item datur comutatio voti hujusm apos-

tolorum sanctorum petri et pauli
 Sancti Jacobi in compostella et
 Sancti Sepulchri dm in istis tribus
 votis semper est compositio cum da-
 tario de tantis pecuniis quantum
 in eundo et reddendo potuis-
 set et tunc possunt expediri bulle
 p p̃mariam.

Nota qd propter comutationem voto-
 rum in quibus est compositio oportet
 allegari senectutem vel pauperita-
 tem aut infirmitatem.

De Relaxationibus Juramenti.

Relaxatio juramenti ad effectum
 agendi.

Quando est enormiter lesus ex obliga-
 tione vel contractu.....gr. 24

123. *Relaxatio* pro illo qui contravenit suo
 juramento et absolvitur a reatu per-
 jurii32

Relaxatio juramenti pro viro et uxore
 vel duobus fratribus aut aliis duabus
 personis conjunctis sub eodem
 asugr. 32

De Simonia apostasi (i recenti
 manu) *perjuriis falsariis et aliis*
diversis absolutionibus.

Absolutio a labe simonie in dispensa-

tionem ad altaris (ministerium?) et
retentionemgr. 102

Et nota qd si perceperit fructus beneficii oportet quod componat cum datario de fructibus male perceptis et lre expediuntur102

Abso a S——a est taxata sine remedio et datur cum retent bnficii....gr. 102

Absolutio pro fratre qui evagaverit p sttum aliquẽ et non dimisit habitum et vult redire ad ordinem suum vel se transferre ad alium ordinem parem vel arctiorem66

Pro illo qui vagarit p sttum et vult transferre ad latiore ordinem ordinem (sic) et pro jam translato qd possit remanere.....gr. 102

Pro illo qui juravit falso et est perjurus petit absolvi cum dispensatione super irregularitate et retentione beneficiorum sine prejudiciogr. 202

Opportet satisfacere injuriam passis et dampnum.

Absolutio pro pbrio sive clĩco falsario qui falsificavit lras apostolicas....gr. 202
et oportet satisfacere pli lese.

Absolutio pro illo qui cognovit mulierem cujus confessionem audiverat gr. 102

Absolutio pro illo qui cognovit comatremgr. 102

<i>Absolutio</i> pro illo qui cognovit consanguineas vel affines	gr. 102
<i>Absolutio</i> pro illo qui comisit adulterium	gr. 102
<i>Nota</i> qd de omnibus istis intelligo de pbris et clicis cum retentione beneficiorum et dispensatione super irregularitate.	
<i>Item</i> in omnibus istis casis supra datis potest dari inhibitio cum limitatione superius scripta.	
<i>Item nota</i> qd in casibus predictis absolutio pro laico non venit nisi ad	gr. 20
plus aliquñ ad 22 Ideo &c.....	22
<i>Absolutio</i> pro illo qui cognovit monialem intra septum monasterii.....	102
<i>Absolutio</i> pro illo qui injecit manus violentas in clicum.....	gr. 20
<i>Et pro</i> clico qui injecit manus violentas in laicum et absolvitur ab excessibus previa tamen satisfactione	20
<i>Absolutio pro</i> illo qui injecit manus violentas in alium pbrum vel clicum et postea celebravit	27
<i>Si petat</i> retentionem bnficii.....	66
<i>Absolutio</i> pro pbro que celebravit nuptias clandestine et cum dispensatione super irregularitate	gr. 21

- Cum retentione bnficii*gr. 36
124. *Absolutio* pro laico qui invaseritgr. 20
- Absolutio* pro pbro qui celebravit durante interdicto aplico36
- Et cum* dispensatione super irregularitate cum retentione bnficii72
- Absolutio* pro laico qui cognovit sorores suas carnales vel consanguineas aut affines aliquasgr. 12
- Nota* qd illi qui injectit manus violentas in alium in loco sacro plus taxatur de 3^o parte et semper intelligenda est satisfactio injuriam passis.
- Absolutio* a speciali sententia ordinaria auctoritate latagr. 20
- Si celebravit*gr. 27
- Item* dispensatur super irregularitate dumtaxat in istis casibus de moribus taxatur adgr. 20
- Et in aliis* casibus pro quibus bulle veniunt de expresse mandato.
- Absolutio* a raptu puelle vel mulieris
gr. 102
- Absolutio* pro illo qui non curvit restituere vel mutare bona [] monitorii aplici36
- Et si fuerit* clicus et celebravit [] ligatis venit adgr. 54
- Et si habet* beneficiagr. 72

- 125 *Sequuntur Taxe Camere aplice cum*
ad *casis notabilibus probatissimis.*
153. *Et primo de Absolutionibus.*
Bulla absolutionis [&c.]gr. xxx.
- 153 *Sequuntur alie taxe penitentie*
ad *novitur facte in concilio Late-*
162. *ranen.*
161. [There is much in this portion similar to what has preceded in foll. 123 and 124. Fol. 159 *De absolutionibus* has repeatedly *Absolutio a REATU*, as *perjurii, falsi, adulterii*; and is understood evidently under the common form of *pro illo qui*, &c. making it strictly *personal*.]

TOM. II.

1. *Motu proprio &c.* [The same as in the 1st volume, to which is subjoined a note with the date of 1539—it is in the same character as the former.]
2. *Taxe* [in Italian.]
Materie di Bolle minute.
3. *Le Materia di Penitentiaria* [branched into various heads.]
6. *Absolutione di piu sorte.*
[This includes the usual crimes; and there is a mixture of Latin.]

19. *Indulgentie di piu sorte.*
 [Plenary indulgences with different taxes annexed marked 400, and 500, and up to 300 years. The denomination of money is not likely to be small, since it is sometimes reckoned 1 and 2.]
51. *Compositionum materie solvendarum Datario.*
111. *Generales summe Materiarum Sacre Penitentie.*
119. *De commutationibus votorum.—De homicidio.*
121. *De Symonia.*
123. *A lapsu carnis.*
129. *Taxe Sacre Penitentie.*
1326. *De Symonia apostatia s—a perjuriis falsariis et aliis diversis absolutionibus.*
133. *Absolutio* pro illo qui cognovit mulierem—commatrem—consanguineam—[with the particular taxes, but with considerable variation from the parallel portion in the first volume.]
149. *Alius Tractatus* super Taxis Canc. Apost. cum certis notabilibus juxta stylum modernum Romane Curie.
 [There is a quantity besides relating to pure secularities—*Expeditiones* &c.]

The second part of this volume, Num. 1852, is a kind of Auctarium, or Appendix, with observations relative to the kind and value of the monies mentioned in the two volumes—a matter of great difficulty, and not of corresponding importance.*

It can scarcely be required of us to reconcile the variations and disproportions of these different Tables, since it is very supposeable, that the whole tax is not always specified in each ; and they who find, or make, so many mysteries where there are none, must in reason excuse us, if we do not pretend to account for every thing in this *mystery of iniquity*. Enough is clear : and it should be recollected, that these Taxæ are manuscript, not printed or published. The conjecture, likewise, may not be altogether groundless, that, as when the trade was unrestricted, the commodities, in order to meet and attract the many, were charged low, so, when it became contracted, the prices were raised.

And now it may fairly be asked, whether, in the face of the evidence which has been adduced, the pretence can with the slightest

* The publication of these volumes would be a valuable accession to documentary literature. In the preceding extract the author holds himself answerable *only* for intentional accuracy of transcription.

probability be supported, that these infamous publications are not the genuine and authentic productions of the Papacy? We have seen the way prepared by the Penitentiary Canons; and to them have succeeded the regular Tax-books, of the genuineness of which no reasonable doubt can be entertained; the first of which, to more than the number of twenty, issued from countries and places devoted to the Roman See, the very first, to the number of Fifteen, from Rome itself, most of them attested by Audifredi in a professed work enumerating the first Roman editions, dedicated quite devoutly to Pius Sextus, Pont. Opt. Max. (*quasi Deo Opt. Max.*); the rest from Paris, Cologne, Venice—that from the last place under the auspices of Pope Gregory XIII. The printing—not the publication, with which perhaps Rome little deserves to be charged—was probably rendered necessary or expedient from the number of agents, or collectors of these taxes, employed by the successors of St. Peter. And beyond Rome in the countries subject to these impositions it might be desirable for individuals to know what their vices would cost them, and how far they could sustain the expence. It appears from Mornay, in his *Mystère d’Iniquité*, p. 656, (it is the same in the English transla-

tion of 1612,) and from a passage of C. d'Espence, which will be produced, that these books were made no matter of secrecy, but were publicly and openly exposed to sale.

But we may, and have been, told, that these works have been formally and publicly condemned by papal authority in the Indices Prohibitorii. This is a matter worth inquiring into: it is both a literary and a papal curiosity. By the year 1564, when the Trent Index was compiled and published, (to say nothing of preceding Indexes,) twenty-seven of the editions of the Taxæ, above enumerated, had appeared, and there were probably more, now unknown—and yet no notice whatever was taken of them, not of a single instance! The first notice which *was* taken of them, or rather of something like one of them, was in the year 1570, just a century after the appearance of the first edition, and *that*, not in a Roman Index, but in an Appendix to the Roman one, published by the authority of the King of Spain. And in what terms does it there appear? Praxis et Taxa officinæ pœnitentiariæ Papæ (p. 76)—a work, which, if it ever existed under that title, was probably never, and is certainly

now, not known.* It is, however, generally admitted to refer to the copy in the *Centum Gravamina*; as if this were the only edition, or none had proceeded from Rome and elsewhere, or were not known! But let us follow the progress of this singular condemnation. With apparent misgiving, and possibly with some fear, that, in its simple form, it might involve what the papacy knew to be its own offspring, the next Index published by papal authority in Rome, that of 1596, by Clement VIII. adds—*ab hæreticis depravata*. In the edition by Pius VI. in 1786, it is still further slightly, probably with some intention, altered—*cum ab hæreticis sit depravata*. It is the same in Pius VII.'s, in 1806, and in 1819. By this specification the condemnation is limited; but it is a virtual admission, that some copy, or copies, existed, which were not so depraved. It would have been charitable to point out, *how* they were depraved. In fact, in another, and more important sense, the undoubted editions of this work were *depraved* enough. And this dilatory, ambiguous, condemnation of a poor solitary non-descript is to

* See Literary Policy of the Church of Rome, &c. 2d edition, pp. 74, 5.

be accepted as a proof of innocence, or acquittal from the guilt, of having issued or authorised the abominable works in question ! Further, how are we to account for the exemplary forbearance and deep silence of these organs of biblical condemnation, respecting all the other editions of the *Taxæ* but one which is noticed—that of Banck—by known heretics, by Du Pinet, by Wolfius, by S. du Mont, and other nameless editors at Paris and Amsterdam ?* The fact is, the *Taxæ*, admitted plainly to have been published, if not for the first time, by a Pope, John XXII., stand very nearly upon the same ground as the *Regulæ*, *Ordinationes*, *Constitutiones*, &c., together with which they are often bound up, which have never been dis-

* The miserable Index published at Wien, (Vienna,) 1774, prohibits the *Taxe de la Chanc. Londres*, 1750. Where is such an edition to be found ? In the Portuguese Index, 1624, pp. 180, &c. *Tractatus Juris Canon.*, in several editions, (being, as is evident from the contents, the *Oceanus Juris Univers.*) is largely expurgated ; but there is no mention whatever of the *Taxæ*, although they occupy so conspicuous a place in those volumes. If the reader wish to understand the value both of the insertions and of the *omissions* in the Papal Indexes, he may get as much information as will probably satisfy him in the work referred to in the last note. He will there find that omissions may be *so circumstanced*, and in numberless instances are, as to have the force of *positive evidence*. Some of the wise Commissioners upon Irish affairs in 1824 and 1825, could not exactly see this. See particularly pp. 296, 7.

puted as papal productions, and with which, in all their divisions, they bear every mark and proof of strict alliance, or fraternity. And, after all, *who* has the *benefit*?

If any confirmation of what has been advanced in these pages were needed, it might be found in full weight in a well-known passage extant among the literary labours of the celebrated Claude d'Espense. Nothing can be more evident from that passage alone, than that the writer had a particular view to the edition of the *Taxæ* published in Paris, 1520; that he never once doubted of its being a genuine production of Rome; that, (although no friend to the Reformed, having been prompter to the Cardinal of Lorraine against them at the Colloquy of Poissy,) he throws not out the slightest insinuation that the work, which he distinguishes from the *Centum Gravamina*, proceeded from any heretical quarter; that his information sufficiently guarded him against deception; and, more than all, that he speaks of the whole production in terms of unqualified reprobation and disgust. But, however familiar the passage, the preceding observations prove, that it is of too much, both pertinency and importance, not to be produced in a work like the

present. The eminent Frenchman, to whom we are so much indebted, was a doctor of the Sorbonne, and rector of the university of Paris. Paul IV. would have made him a cardinal, had not the supposed interests of France prevented. De Thou affirms, that he was too good, as John de la Casa was too bad, for that honour.* Crashaw writes concerning him, “ of whom not only Thuanus, Bochart, and other indifferent and moderate, but even Possevin the jesuit, and Genebrard, that rough and bitter papist, give most honourable testimony.”†

In his Commentary on the Epistle to Titus, on ch. i. ver. 7, he has, what he calls, *Digressio Secunda*, on the word *ἀισχροπερία*; and

* Lib. xvi. ad ann. 1555.

† A Mittimus, &c. Advertisement to the Christian Reader. See likewise Dupin's *Eccles. Hist. Eng. Trans.* 1706, Sixteenth Century, Book V. pp. 100—6, where C. d'Espence, at the close, is described as “ one of the most learned and judicious Doctors of his time.” He was a right good, though not an ultra, papist; cleared himself well enough from the charge of being heretically affected; thought it was a good action to kneel before a crucifix or images of the blessed Virgin and Saints, when praying to Christ or them; was an enemy to the unrestricted reading of the Scriptures; and approved the sanguinary prohibition of Books by Henry II. The Catalogue was published in 1551, and an account of it may be seen in the *Literary Policy*, &c. pp. 34, 5. D'Espence took a leading part in the colloquy of Poissy, 1561: he likewise acted there as prompter to the juvenile, and not very theologic Cardinal of Lorraine.

there, having expressly referred to the *Centum Gravamina*, he proceeds to say, that all those charges might be considered as the fiction of the enemies of the Pope, were it not for a book printed, and for some time publicly exposed to sale at Paris, entitled *Taxæ Cameræ seu Cancellariæ Apostolicæ*, in which more wickedness may be learned than in all the summaries of all vices, and in which are proposed licence of sinning to most, and absolution to all who will buy it. He wonders that this infamous and scandalous index of iniquity should be so far from being suppressed by the friends and rulers of the Roman church, that the licences and impunities for such abominations, continue to be renewed in the faculties granted to the Legates from Rome of absolving and rendering capable of ecclesiastical promotion all sorts, and even the most atrocious, of criminals. He then calls upon Rome to blush, and cease any longer to prostitute herself by the publication of so infamous a catalogue.

I give the original at length below,* and only remark, that it is evident from this pas-

* *Quæ scandala ex Gravaminibus Germanicis passim collecta*, 1, 2, 5, 8, 67, 74, 75, 84, 91, 95. *Hæc, inquam, lucra turpia, odio Pontificis Romani ficta sint, si non, quod ait et conqueritur ille, velut*

sage, that the author had in view, as we have observed, not only the *Centum Gravamina*, but likewise an edition published by authority and for the use of the trade: It is almost certain

Prostat, et in quæstu pro meretrice sedet, liber palam ac publice hic impressus et hodieque, ut olim vœnalis, Taxa Camerae seu Cancellariæ Apostolicæ, inscriptus, in quo plus scele- rum discas licet, quam in omnibus omnium vitiorum Summistis et Summariis, et plurimis quidem licentia, omnibus autem ab- solutio empturientibus proposita, parco nominibus, nam, quod ait nescio quis,

Nomina sunt ipso pene timenda sono.

Mirum hoc tempore, hoc schismate, non suppressum tot tamque fœdorum, tamque horrendorum scelerum velut indicem adeo infamem, ut non putem in Germania, Helvetia, et ubicumque a Romana sede defectum est, opus prostare majore hujus scan- dalo, et adeo tamen non supprimitur ab Ecclesiæ Romanæ favis- soribus, ut tantorum ac talium facinorum licentiæ ac impuni- tates in facultatibus legatorum illinc huc venientum bona ex parte innoventur atque confirmentur, adversus (si Deo placet) quæcumque fatalia restituendi, ac etiam quoscumque Spuri- os, Manseres, Bastardes, ex quocumque illicito coitu, &c. cum his qui se per adulterium polluerint, ut connubere possint, perjuros, simoniacos, falsarios item, raptores, usurarios, schismaticos, hæreticos, sed ad cor reversos, non absolvendi tantum, sed et ad ordines, honores, dignitates, et beneficia quæcunque, quocunque, qualiacunque, dispensandi, homicidas quoque, sed casuales, seu involuntarios, nam nec voluntarios quidem exceptit Taxa supe- rior, presbytericidas, parricidas, matricidas, fratricidas, sorori- cidas, uxoricidas, infanticidas, veneficas, incantatrices, concu- binarios, adulteros, incestos, cum affinis aut consanguineis, denique contra naturam, cum brutis, &c. Habeat jam Roma pudorem, et tam nullius frontis criminum omne genus catalo- gum prostituere desinat. Parisiis, 1568, pp. 67, 8. No wonder this work had soon the honour of insertion in an *Index Expur- gatorius*, and this passage a particular reference. See the *In- dex* of Quiroga, General Inquisitor of Spain, Madriti, 1584,

that the Parisian edition of 1520 is intended, although the title is given incorrectly, as is more frequently done with contemporary and well known books than with others. It appears likewise, that there was no concealment in the affair, except what arose from the language in which the book was extant. This concealment was indeed pretty extensive.

The Irish titular, or Roman catholic, Bishop, Dr. Doyle, in his examination by the Parliamentary Commissioners on the State of Ireland, retorted the charge of pecuniary penance on the Church of England, and referred to Burn's Ecc. Law, under the word PENANCE, in proof of the fact. How far the instances fall short of his object will be evident on the perusal. I will give him and his communion farther, and perhaps better, authority, in the laborious and impartial Strype's Lives—of Parker, Book iv. c. xxv ; of Grindal, Book ii. c. xi. and Appendix, Book ii. No. v ; and of Whitgift, Vol. i.

fol. 72, or the Reprints. The *expurgatory* class of Indexes are very useful in directing protestants at once to those passages, even in papal writers, from which the papacy receives some of her most mortal wounds. They were never, however, meant to come into our hands, and Rome has been more prudent than Spain. There are several other passages marked for obliteration in the work from which I have been quoting, and of which *I have* the identical edition referred to.

p. 376 of Oxford edition—in which it appears that pecuniary fines were sometimes with great caution allowed.* But if the practice be sub-

* In order to give our opponents every possible advantage, or at least, light, on this subject, I refer them to the documents in the IVth vol. of *Wilkins's Concilia*, M. B. pp. 315, 355, 362, 552, 638, 654, 5. And from the last reference, where are found the “*form for regulating proceedings*,” &c., by Convocation, dated April 30, 1714, under Sect. iii. I extract as follows:—
“That in all crimes of ecclesiastical cognizance, the judge and register shall send out their citations,” &c. “And that no commutation of penance be hereafter accepted or allowed of by any ecclesiastical judge, without an express consent given in writing by the bishop of the diocese, or other ordinary having exempt jurisdiction, or by some person or persons to be especially deputed by them for that purpose; and that all commutations, or pretended commutations, accepted or allowed otherwise, than is hereby directed, be ipso facto null and void.

“That no sum of money, given or received for any commutation of penance, or any part thereof, shall be disposed of to any use, without the consent and direction in writing of the bishop, or other ordinary having exempt jurisdiction, if the cause hath been prosecuted in their courts, or of the archdeacon, if the cause hath been prosecuted in his court; and all money received for commutation pursuant to the foregoing directions, shall be disposed of to pious and charitable uses” (*not fees of office*) “by the respective ordinaries above-named, whereof at the least one-third part shall by them be disposed of in the parish, where the offenders dwell. And that a register be kept in every ecclesiastical court of such commutations, and of the particular uses, to which such money hath been applied; and that the account so registered, be every year laid before the bishop, or other exempt ordinary having episcopal jurisdiction, in order to be audited by them; and that any ecclesiastical judge or officer offending in any of the premises, be suspended for three months for the said offence.” Perfectly identical all this with what is exhibited in the present work!

stantiated in the most objectionable form and degree, *from whence came it?* from whom did the church of England *receive it?* At any rate, the solution of *Fees of Office*, which, we shall see, is the sheet anchor of the Roman apologists, is, by this supposition of identity, perfectly destroyed; for in the foregoing instances it is plain mulct or commutation. But will any person who has any knowledge of the two things attempted to be identified, take upon himself to affirm, or, what is better, prove, that the Church of England has, either in print, or in office copies, regular catalogues of crimes, for absolution from which certain varying sums of money are to be paid, or that any thing in that church exists, or is allowed, identical, or even in the remotest degree similar, to the tables described, and the one exhibited, in this work?

But we have yet to encounter another man, armed with "*Fees of Office*," Dr. Milner, late Vicar apostolic of the Midland district in this country. In his *ironically* entitled *End of Controversy*, ed. 1824, Letter xli. Note 1, he writes of what he calls a "curious account," and affirms it to be "borrowed from the *Taxa Cancellariæ Romanæ*, a book which has been frequently published, though with great varia-

tions, both as to the crimes and the prices, by the Protestants of Germany and France,”—*the reader knows pretty well whether by Protestants only*—“and as frequently condemned by the See of Rome”—*and the reader equally knows how far this is true, even if shelter be sought under the condemnations of the Protestant reprints.* But we proceed. “It is proper that Mr. Clayton,” (the gentleman attacked,) “and his friends should know, that the Pope’s Court of Chancery has no more to do, nor pretends to have any thing more to do, with the *forgiveness of sins*, than his Majesty’s Court of Chancery does.” A little more, by the leave of this polemic errant, who never stuck at any thing, if a Roman writer, CIAMPINUS, *De S. R. E. Vice-cancellario*, Romæ, 1697, be right, who affirms that officer to have jurisdiction over the officials of the *Pœnitentiary*, and states as one of the Rules of office, *quod possit committere absolutionem illorum, qui ignoranter, &c.* pp. 52, 53. But the case before the Vicar A., and before us, was, and is, not concerning, or concerning in a very slight degree, the Pope’s Chancery, but the Pope’s *Pœnitentiary*; which latter the apologist very dexterously, as he well knew how,

contrives to keep out of sight, and throws out the other Court to amuse and bewilder the reader. But of the *Book*. “In case there was the least real ground-work for this vile book, which I cannot find there was,”—*is it possible to believe such ignorance sincere? even the Protestant prefaces would satisfy any rational man*—“the money paid into the papal Chancery could be nothing else but the *fees of office*, on restoring certain culprits to the *civil privileges* which they had forfeited by their crimes.” If Dr. Milner were really ignorant, to write in this dogmatic way would be dishonest; because he must be sensible of his incompetence to decide: and if he *knew* the truth, his delinquency was still greater. But who, that, for a moment, glances upon the catalogue set before him in this publication, can persuade himself, that the articles express *nothing* but innocent fees of office? Why not then fairly published? Why, as is affirmed, condemned? Why was C. d’Espense, poor scrupulous ignoramus! so shocked and indignant?

It is in vain, then, to conceal the *dilemma* into which the champions of Rome are brought on the subject of this iniquity of their church.

At one time it is the "*vile book*," which had no existence but in the invention of heretics, and was uniformly disavowed, abominated, condemned, by the innocents upon whom it was charged. But this plan of attack, and this position could not—there were shrewd fears—be maintained. Then, on a sudden the assailants get to the other side of the fortress, and endeavour to undermine and blow it up with "*fees of office*." Between the two, the besiegers hardly know which method to chuse, or rather to adhere to, not considering, themselves, so attentively as perhaps others will do for them, that the two parties, as far as their efforts are effectual, annoy, and must eventually destroy, each other; for if the Book is so vile as to be disowned, it cannot be so innocent as to contain only what morality allows.*

How far and how long this system of iniquity, and these flagitious records lasted, and whether they are even yet totally extinct, may not be easy to ascertain. The whole affair is a convention, and where there is no demand there can be no market. But the preceding

* Mr. C. Butler has *adopted* the *Fees of Office* system. Towards the end of Marchand's Article, it will be seen, that a French writer very zealously advocates the *abominable* plea.

detail and observations upon it are calculated to attain, and were designed to attain, the following objects :—

Firstly, to confirm and illustrate the evidence, by which the fact, scarcely credible or conceivable, is substantiated, that a society professing itself to be, not only a church of Jesus Christ, the pure and undefiled Saviour of the World, but the only true church, should principally distinguish herself—not by her sanctity, not by freedom from sin, not even by moderate offences, but—by her enormous exactions, by her profligate venality, by her insatiable rapacity,* and, above all, by that wis-

* These charges are powerfully corroborated by a more general view of the merciless extortions and spoliations, as they may justly be called, exercised by the Roman See upon her subjects—upon *Germany*, as may be seen in the *Centum Gravamina*, so often referred to—upon *France*, as the instrument immediately following the former in Orthuinus Gratius's *Fasciculus*, &c. with the title, *de Annatis non solvendis*, and more especially the defence of the liberty of the Gallican church, in the works of Franc. Duarenus, Francfort, 1592, near the end, testify—and upon *England and Wales*, as is stupendously apparent from the bare inspection of the *Taxatio Ecclesiastica*, *Auctoritate P. Nicholai IV. circa A.D. 1291*, published by the Commissioners from the Public Records, London, 1802.

If any thing could aggravate the iniquity of Rome in this respect, it would be, the solemn hypocrisy with which the ruling order of her sons, particularly in Ireland, has of late disclaimed all, even the most distant, *view*, or *desire* as to the possession, for themselves, or their church, of the revenues, emoluments, or endowments of the established church of the Bri-

dom from beneath, which has enabled her, with the most unprincipled dexterity and success, so to accommodate and subdue religion to every variety and degree of human vitiosity, that the sins of men have been one of the most productive sources of her unfathomable revenue.

Another object is, to shew, that the reformation of those churches, who withdrew from

tish dominions. That such a *view* may not be the most *distinct*, or the *nearest* in the field which they survey, there is sufficient reason to admit. Some things stand between them and their ultimate object. These are the things which lie nearest, and most sensibly affect, or rather engross, the appetite and expectations of the pursuers. It is to the removal of these that *their present view* is confined; and they may be believed in saying so. But that they do not wish to arrive at the horizon, however dimly seen, and that they do not desire to possess, themselves, the temporal *dross* and *baubles* in present possession of a *purified* catholic church, is as palpably false as was ever oath sworn by a regular perjurer. These good people do, in very deed, exhibit the aptest illustration of the well-known apologue of *the fox and the grapes*, that was ever enacted by human imitators of the most acute of inferior animals. Should a much provoked Providence, employing its usual instrument, the infatuation or foolish craftiness of the guilty, deliver into the hands of the direst enemy of *pure* Christianity the sinews of all effective exertion, *the property of the Protestant church*,—the sacerdotal band of Roman locusts would, without loss of a moment, and with not the slightest qualm relative to former professions, throw their whole body and force over the whole surface of the land, and eat up all its produce, till not a blade of any thing, worth their having, remained. The garden of Eden would be thus turned into a wilderness to the exterminated, (*id est, ex vi vocis expulsis*,) but it would still remain to them a garden of delight—a garden of the soul, in which their idolatry, their

the corruptions, both in doctrine and discipline, of the church of Rome, and asserted their own independence, was neither unnecessary nor unjustifiable.

Another is, to offer an additional inducement to those, who belong, and still adhere, to Rome, with a simple heart, unconscious of her abominations, many of them, individually, of an excellent spirit, and for whom our heart's desire and prayer is, that they may be saved—to reflect upon the character and acts of this Babylon, this deceiver of the nations of the earth: and to withdraw from her society, that they may not be overtaken by her plagues; and thus effect for themselves the only real Emancipation from a real, and most degrading, as well as oppressive, slavery.

The last object is, with unfeigned thankfulness for our own emancipation, as Protestants,

ambition, their love of earthly gratification, (of which they are by no means insensible,) and a free, as well as lucrative speculation in the sins of men, (as in former times,) might riot without restraint—at least with none, from which the opportune casuistry of Peter Dens would not relieve them. Let the nation mark the insolent encroachments, which common prudence cannot curb, and can scarcely disguise. Let it observe the attitude of resolution and threat, which seems to defy the intended victim. And then let it consider, how far apathy, security, and a neglect of the most vigorous measures of defence and repulse, are, in Protestants, becoming, prudent, or justifiable.

that we become more firmly established in our liberty, and in a steadfast and vigorous resolution, in dependence, personally, upon divine grace and a favouring Providence, to guard against, and resist to the utmost, every attempt, of every kind, to reinstate a corrupt and tyrannical church in power, of which she knows but one use—a church, (and in that we comprehend the court with which she is inseparably united,) which, for her heresies, barbarities, blasphemy, and pollution, shameless and avowed, *almost* deserves, in allusion to her own arrogant assumption, and with the variation which truth requires, to be regarded as a church—if a church at all, and not rather a congregation of malignants—*intra* quam nemo salvus esse potest.

The blot upon the British Statute book, the Anti-christian bill of 1829, was made a law of the realm, April 13th of that year. But it was *necessary* ! Who made it so ? What proof was produced, or is producible, that it was so ? And if so, what then ? With the knowledge

of the *necessity* of a future murder, am I justifiable in taking a part in it? in failing to resist it? in neglecting to testify against it? in discouraging those who resist and testify against it? Let me at least wash my hands from the guilt.—And as to the effects—the bait of expediency—the felicitous fruits, so confidently and openly, or so wilily, yet by implication so certainly anticipated*—after six years waiting and looking for, where are they to be found? Where are the prophecies of good, putting to complete rout and shame the prophecies of evil? Where are the showers of blessings so liberally bespoken, especially for Ireland? Where is the self-evident and overwhelming assurance, that the infusion of popery into our legislature would be utterly insignificant, and that the popish legislators, (to the surprise of bigotry,) would instantly find their level? Where are the superfluous securities, exacted simply to satisfy the ultra-scrupulous and timorous, the ultimate securities of honour and an oath? What have almanacs, not very *old*, registered respecting these matters? Alas! alas! alas! The God

* See Debates in the Lords, Ap. 2, particularly my Lord Plunket's, whose left-handed wisdom and modesty have so patriotically feathered his own nest.

of this once Christian, because Protestant country, or rather government, as far as it was truly such, has delivered it over to just punishment for its partial apostasy ; and its idol, as usual, has become its plague. Its secularity, its adoption of expediency as its supreme guide, its mental libertinism, have precipitated it into the pit, which itself has dug. Some providences, or rather judgements, as the case now is, bear upon their forehead a legible inscription indicative of their meaning. And when the very individuals, by whose ministry the curse which we are considering was hung on the neck of England, are re-exalted to the very pinnacle, on which they effected the mischief, for no other apparent purpose than to be hurled from it at the very instant of their elevation, at the very time of the year, almost to a day, when the offence was committed, by the very individuals whom themselves had introduced to legislative power, by a majority almost to a man constituted of that class, and by means of the violation of that very oath, which was their sheet-anchor, in failure of all others, that no violence would be offered to the established church, and, finally, by a coalition as base and ungrateful as was ever exhibited in a civilized

country—who will say, that this is not a leaf of history, to be seen, read, and understood of all men?—But the *Oath* of the honourable members of the Roman communion! Doubtless it was most sagaciously suggested, and most prudently relied on, as the security of all others, and in addition to all others, which rendered every fear of ingratitude, or hostility, ludicrously visionary! Men of honour, men of a religion, having once had Christianity in it—men, so bound, to fail, and to laugh in the face of those who trusted them! O! it was the arch-mock of Popery for these men gravely to put forward the *anticipation* of their perjury as a *justification* of it.*

* Of the two distinguished individuals alluded to above, and whose expulsion from their eminence was not more a disgrace than a calamity to the nation, the first is reported to have acknowledged, that the *great measure* was a *mistake*; and the other, while insisting upon its necessity at the time, has declared that, had what he saw since been foreseen, impediments would have arisen to its accomplishment. Others have regretted their co-operation as the most unfortunate of their public acts; and few but those, whose obstinacy or cupidity are of a thorough-going quality, venture to own their mis-shapen and diseased progeny. We are now, in consequence, and in justice, suffering under the infliction of rulers whom *we*—that is, those who have not resisted and protested—have chosen. Those are set to rule over us, who will have government *without religion*, but who, like all the infatuated, are the willing slaves and *puppets of a religion*, which, being a corruption of the best, is the worst.

THE following copy of the TAXE SACRE PENITENTIARIE APOSTOLICE is a Quarto of four folia, or eight pages, in Gothic letter, and printed apparently by Marcellus Franck, or some other Roman and authorised printer, by authority of LEO X. My reasons for this opinion are, the appearance of the type; the fact, that no originals of this production appear to have been issued after the pontificate of Leo; and the company in which my document is found. It is in a volume of collected pieces which I purchased about the year 1825, of Messrs. Longman and Co. The volume, by a printed paper on the first title page, appears to have belonged to the Library of the Cathedral of Tournay. The first piece is Liber cure pastoralis divi Gregorii, &c. 1498; the second, Ordin. Syn. Senonens, 1524. Then follow more official papal tracts—Modus servandus, &c.; Termini Causarum, &c.; then the TAXE;

Christianity is no longer under their protection—Protestantism is at the mercy of Popery.

The *number* of the *ἑυοφοι*, adverted to above, may be swelled, but their individual *guilt* is not diluted by the union in vote of those, who, by extreme courtesy, must pass for protestants—yes, *for protestants!*

immediately after, *Casus Papales*, &c.; *Stilus R. C. Marcellus Franck*; a collection of Bulls on church matters, *Besicken*, 1506; *Regule, Ordd. &c. Leonis d. p. Pape X. &c.* 1513; various Orations, and other pieces, of about the same date; and, to close this list of curiosities, *Bulla in Cena domini*, in the second year of the same Leo.

Taxe sacre penitentie apostolice inci- Fo. i.
piunt

Quinquennium pro una persona sive pro pluribus. Et possunt hic poni vir et uxor et eorum liberi. Si tamen alter eorum haberet liberos ex alio matrimonio: videlicet ex alio patre vel ex alia matre: non possunt simul poni cum parentibus bolendin xx.

Perpetuum pro una persona .. grossi xvii.

Et pro viro et uxore quia pro aliis non datur pluribus in simulg. xviii.

De absolutionibus et primo pro promotis.

Absolutio pro clerico presente vel absente ultramontano qui suscepit ordines in partibus citramontanis..... g. xvii.

Absolutio pro illo qui absque licentia sui ordinarii seu diocesani fuit promotus

g. xvii,

Absolutio pro eo qui minores et subdiaconatus ordines una et eadem die suscepit g. viii.

Abso. illius qui non confirmatus suscepit ordines g. viii.

Abso. illius qui se fecit ad fictum titulum promoveri g. vii.

Absolutio pro illo qui non confirmatus bis se fecit clericali caractere insigniri
g. viii.

Absolutio pro eo qui ab episcopo justum titulum non habente suscepit ordines
g. vii.

Abso. illius qui minor xxv. annis existens se fecit ad omnes sacros ordines promoveri : et non est in etate legitima g. vii.

Absolutio pro eo qui nondum venit ad etatem legitimam et petit secum dispensari : et quod possit ministrare.....g. xviii.

Dispensatio pro eo qui dum xx sue etatis annum attigerit petit quod ad omnes sacros ordines promoveri possit
g. xxxiii.

Absolutio pro presbitero qui ministravit in ordine sacro non suscepto g. viii.

Absolutio pro presbitero, quia minorennis parrochiam ecclesiam obtinuit et se promoveri fecit g. viii.

- Absolutio pro eo qui sine sui ordinarii licentia fuit promotus et super hoc non est lata sententia g. vi. b
- Item si est lata sed ignorabat g. vi.
- Absolutio pro eo qui cadaver Usurarii publici tradidit sepulture ecclesiastice
g. viii.
- Absolutio et dispensatio pro presbitero qui scienter celebravit excommunicatis presentibus..... . vii. vel viii.
- Absolutio et dispensatio pro presbitero qui excommunicatos ad divina admisit
g. vii.
- Absolutio pro eo qui sine licentia sedis apostolice sanctum sepulcrum et alia loca ultramarina visitavit..... g. viii.
- Absolutio pro monacho portante sotulares rostratos et tunicas nodatas g. vii.
- Absolutio pro presbitero qui conjunctos in gradu prohibito matrimonialiter copulavit et coram eis celebravit.... g. vii.
- Absolutio pro illo qui usuras occulte exercuit g. vii.
- Abso. pro illo qui literas testimoniales falsas scripsit g. vii.
- Abso. illorum qui fuerunt testes in talibus literis falsis..... g. vii.
- Absolutio pro eo qui in ecclesia cognovit mulierem et alia mala commisit g. vi.

- Absolutio pro presbitero qui nonnullas personas absque eorum curati licentia matrimonialiter copulavit g. vii.
- Absolutio pro presbitero qui nonnullas personas clandestine matrimonizavit et clandestinis matrimoniis interfuit g. vii.
- Abso. pro presbitero qui suos nubentes benedixit g. vii.
- Abso. pro concubinario et dispensatio super irregularitate : et hoc contra provinciales et synodales constitutiones &c.
g. vii.
- Absolutio pro laico super eodem g. vii.
- Abso. pro laico qui res sacras de loco sacro cepit g. vii.
- Absolutio pro eo qui matrem : sororem : aut aliam consanguineam vel affinem suam : aut commatrem carnaliter cognovit g. v.
- Absolutio pro eo qui virginem defloravit
g. vi.
- Absolutio pro vitio symonie pro laico g. vi.
- Idem pro presbitero g. vii. Fo. ii.
- Idem pro monacho g. viii.
- Absolutio pro perjuro g. vi.
- Abso. pro illo qui in causa criminali false deposuit g. vi.
- Absolutio pro canonico qui prelatum indignum elegit g. vii.

- Abso. pro presbitero qui bona ecclesie que
habuit non restituit : licet facta sit con-
tra tales quedam monitio generalis
g. vii.
- Abso. pro illo qui revelavit confessionem
alterius g. vii.
- Et ultra hoc injungantur ei maxime pene
Absolutio pro presbitero sive clerico qui
quasdam literas officii penitentie sue
aliqua instrumenta falsificavit sine ta-
men alicujus prejudicio et eas restituit
laceratas g. vii. vel. viii.
- Absolutio pro eo qui falsificavit literas apos-
tolicas g. xvii. vel. xviii.
- Absolutio pro illo qui falsificavit privilegia
et amiserit ea sive sit presens vel absens :
ad minus g. xvi.
- Abso. pro presbitero qui scienter celebra-
vit in loco interdicto g. ix.
- Absolutio pro viro et muliere qui durante
tempore interdicti nonnulla corpora de-
functorum ad sepeliendum asportarunt
et sepelierunt g. ix.
- Absolutio pro presbitero qui corpora de-
functorum excommunicatorum in terra
sancta sepelivit g. viii.
- Absolutio et dispensatio pro presbitero pre-
sente vel absente qui scienter coram ex-
communicato celebravit g. vi.

De votis et commutatione eorum.

Commutatio seu prorogatio voti sancti sepulchri dominici et aliorum locorum sanctorum ultramarinorum et apostolorum Petri et Pauli et sancti Jacobi in compostella g. xvii.

Et debet exprimi si quis vovit absque alicuius termini prefixione vel cum termini prefixione: quia si terminus est tunc elapsus debet absolvi a transgressione voti: et additur..... g. i.

Si vero aliquis allegat perpetuum impedimentum. Idem si temporale. Sed ponatur quod cessantibus impedimentis habeat votum suum adimplere.

Item pro eo qui vovit se intrare in heremitario: et dispensatur secum quod per annum serviat in aliquo famoso hospitali: etiam dicat per totum annum orationem dominicam omni die xx. vicibus g. vi. b

De matrimonialibus in gradu consanguinitatis vel affinitatis prohibito.

Dispensatio super quarto gradu consanguinitatis de contrahendo vel contracto ignoranter g. xvii.

Super tertio et quarto g. xxvii.

Super quarto et quinto g. xxvii.

- Et debet concordare cum camera apostolica.....
- Si vero contraxerint scienter et consumaverint g. xxi.
- Et eodem modo de affinitate g. xix.
- Idem super defectu publice honestatis et justitie g. xvii.

Super defectu natalium.

- Dispensatio super defectu natalium ad omnes ordines et unum beneficium etiam curatum: si de soluto et soluta defectum patiatum g. xii.
- Item si quis defectu non obstante predicto: et eo tacito se fecerit ad omnes ordines vel ad aliquem ipsorum promoveri: additur g. i.
- Dispensatio de uberiori: videlicet quod possit beneficium cum obtento vel obtinendo vigore prime dispensationis possidere et illa si placeat permutare
g. xix.
- Licentia comedendi carnes: butyrum: ova: et alia lacticinia tam in quadragesima quam in aliis diebus jejunalibus g. vii.

Super homicidio clericali.

- Absolutio pro laico presente qui abbatem aut alium presbiterum minorem epis-

copo monachum vel clericum interfecit g. vii. viii. vel. ix.

Pro absente non datur: quia omnes tales debent visitare sedem apostolicam: nisi quis dicat se perpetuum habere impedimentum: et tunc eadem est taxa. Aut allegat temporale impedimentum: ut guerras inimicitias capitales: paupertatem: aut infirmitatem: et tunc ponatur clausula quod cessantibus impedimentis sedem visitet apostolicam et eadem est taxa. Item si sit mulier vel monachus tenetur visitare sedem apostolicam sub eadem taxa. Fo. iii.

Item eiusdem taxe sunt littere super mutilatione membrorum cujus sunt super homicidio.

Super homicidio laicali.

Absolutio super homicidio laicali pro laico.

et potest committi suo rectori.... g. v.

Si tamen sit clericus committitur ordinario suo et non alteri quia interdicatur sibi executio suorum ordinum si quos habet et ad superiores ascensus. Sed si solum est promotus ad minores ordines: dispensetur secum quod possit in suis susceptis ordinibus ministrare: sed inter-

dicatur sibi ascensus ad superiores

g. vii.

Si vero promotus sit ad omnes sacros ordines dispensetur secum quod possit in minoribus ordinibus ministrare : executione suorum sacrorum ordinum sibi imperpetuum interdicta..... g. viii.

Et in istis ordinibus idem est pro presente vel absente.

Absolutio et dispensatio super homicidio laicali pro presbitero decano aut clerico. quando signatur supplicatio per Fiat de speciali vel de speciali ad cautelam. vel per Fiat sive sit presens vel absens si signetur sine conditione g. xviii. vel. xx.

Abso. pro eo qui interfecit patrem : matrem : fratrem : sororem : uxorem : aut alium consanguineum scilicet laicum. quia si esset aliquis eorum clericus : teneretur interfector visitare sedem apostolicam. Item absolutiones committuntur Epo suo vel officiali vel alicui abbati aut alteri prelato sive Epo in diocesi. Nec possunt committi curato : et quelibet earum venit ad.....g. v. vel. vii.

Nota quod si interfector sit clericus : suspenditur ab executione suorum ordinum si quos habet : et ad superiores ascensus sibi imperpetuum interdicatur .. g. vii.

Absolutio pro viro et uxore qui invenerunt
juxta se puerum oppressum pro quolibet
ipsorum g. vi.

Absolutio pro marito qui uxorem suam percussit : de qua peperit abortivum et ante
tempus g. vi. b

Et idem pro quolibet alio laico g. vi.

Absolutio pro muliere que bibit aliquem
potum vel alium actum fecit per quem
destruxit fetum in utero vivificatum

g. v.

Nota quod si premissa committens sit clericus aut presbiter vel fetum destruxerit in utero materno vivificatum : fiet sicut super homicidio laicali et eadem est pena : de qua quidem pena supra mentio est habita.

Dispensatio cum insertione absolutionis pro presbitero seculari presente vel absente super homicidio laicali per Fiat de speciali ad cautelam.... g. xvi. xvii. xviii.
et quandoque xix.

Nota quod quando dispensatur simpliciter ad omnes ordines : dispensatur ad quacunque beneficia sine cura

g. vi. vel. vii.

Nota quod quando quis promotus est ad omnes sacros ordines vel ad unum ipsorum et dispensatur cum eo super homi-

cidio laicali: quia super clericali non dispensatur pro absente: potest ministrare in minoribus dumtaxat. Sed si non est promotus: non dispensatur secum ad aliquos ordines: nec ad aliqua beneficia: etiam si sit clericus.

De injectione manuum.

- Absolutio de injectione manuum in prepositum decanum presbiterum diaconum aut clericum sive quemcunque religiosum: etiam laicum pro laico presbitero vel clerico presente etiam cum sanguinis effusione g. ix.
- Si tamen monachus sive presbiter: vel in aliquibus ordinibus constitutus celebravit g. viii.
- Absolutio pro absente de injectione manuum citra sanguinis effusionem aut alium excessum similem seu enormem g. vii.
- Si tamen petatur dispensatio super irregularitate.....g. viii.
- Si vero injectio manuum sit usque ad sanguinis effusionem: aut si capillorum extractio: vel alia gravis injectio sive percussio..... g. vii.
- Nota tamen quod si manus injiciens sit mulier: aut monacchus: vel alius allegans perpetuum impedimentum..g. vii.

Et ponatur quod cessantibus impedimentis
 sedem apostolicam visitet
 cum effectu. Idem cum allegat pau- Fol. iv.
 pertatem. Et ponatur quod visitet ean-
 dem cum ad pinguiores fortunam de-
 venerit.

Nota quod si plures fuerint in una in-
 jectione: percussione: homicidio sive
 mutilatione: si litera est de speciali:
 addantur pro quolibet g. ii.

Sed in forma g. i.

Si vero de speciali gratia g. xliiii.

Si sine numero et litera sit in forma

g. xxii.

Item eodem modo si in aliis literis in qui-
 bus plures possunt esse in eodem delicto
 ut prius notatum est.

Absolutio pro eo qui percussit patrem aut
 matrem: compatrem aut commatrem.

De corpore viciatis.

Dispensatio pro aliquo super defectu alicu-
 jus membri pro presente g. xiii.

Item pro absente g. xvi.

Nota quod qualitercumque dispensatur
 sive ad omnes sive ad aliquos ordines:
 eadem taxa vel quasi.

Dispensatio pro presbitero presente vel ab-
 sente qui abscidit suos testiculos

g. xvi.

De Spoliis.

Absolutio et dispensatio super spoliis: incendiis: rapinis: et laicalibus homicidiis g. viii.

Et potest committi alteri prelato quam ordinario.

Sed si premissa sint commissa in loco sacro vel cum locorum sacrorum effractione: absolutio committitur ordinario. Et si talis sit clericus: interdicitur sibi executio suorum ordinum et ad superiores ascensus g. viii.

De raptoribus et incendiariis g. vii.

Rehabilitatio pro inabili g. xxxv.

Scriptor habet g. viii.

De legitimatione eorum qui non habent patrem nec matrem.....g. xii.

Pro litera illius qui habuit unam uxorem et ipsa ab eo recessit et ipse eam expectavit per aliquod tempus: et postea diligentiam fecit scire

de morte vel vita ejus: et fuit apportata b

fama de morte ejus postea contraxit vel vult contrahere cum alia uxore: petit quod possit remanere cum secunda et quod proles. &c. si litera est judiciaria &c. videat auditor. &c. g. x. Scriptor habet g. vii.

Qui excommunicatus est vel presbiterum interfecit aut vulneravit seu alio crimine innodatus moritur: conceditur ad instantiam parentum vel amicorum suorum quod possit inter alios fideles sepeliri..... g. vi.

Pro presbitero qui sepelivet aliquos tempore interdicti ignoranter g. vi. Et scienter g. xvi.

Quando aliqui duo manus violentas iniecerint in vicinos vel imposuerint in aliquos venit in taxa ad.....g. xxi.

Et in sigillo ad g. xxii. cum dimidio.

Pro aliqua religiosa que petit licentiam eundi ad balnea causa infirmitatis: vel propter aliam justam causam: supplicatio fit in forma. Similiter alibi si petat licentiam pro qualibet persona adduntur g. ii.

Pro falsificatione literarum apo. signatur de speciali mandato..... g. xxvii.

De sententiis generalibus.

Absolutio de sententiis generalibus: in forma assertiva per modum si inveneris: aut licet non credas: pro religioso presente vel absente abbate vel alio religioso..... g. ix.

Pro presbitero seculari g. x. Pro clerico
vel laico g. xi.

Abso. pro eo qui est excommunicatus et
gravatus paupertate : ita quod non po-
test suis creditoribus satisfacere g. vii.

Abso. pro presbitero qui ligatus quadam
sententia speciali divina celebrat officia.
Nec est cura si sit absolutus vel non
g. vii.

Absolutio pro monacho qui sine licentia
monasterium suum exivit

grossi vii. viii. vel. ix.

Nota quod quando aliqua litera petitur re-
datari solvitur tertia pars taxationis illi
qui datat. Nota quod quando litera est
declaratoria et auditor super irregulari-
tate &c. ipse signat. Fiat de speciali
quo ad ratum. &c. Si est ita. Quan-
docunque ponitur ista conjunctio et tunc
taxa duplicatur. Finis.

The Parisian edition of 1520 agrees so closely with the copy above given, that, except the trifling variations of *absolutio* variously printed at length or contractedly, (which constitutes the greatest number of the variations ;) differences in punctuation ; the insertion, omission, or substitution of a small indifferent

word; and the varying use of capitals—no greater, or more important variations besides exist, than the following :—at the end of the title *incipiunt* is omitted; immediately after is inserted as the head, *Quinquenniales et perpetue dispensationes*; under the third head, *jungatur* for *ponatur*; under the fourth in the head itself, *Absolutio* is prefixed; as likewise under the sixth; and there are two instances of two words transposed, without any difference in the sense.

This description, which is perfectly accurate, was thought preferable to a minute exhibition of the variæ lectiones. I may add, that the present copy of the Taxe, as being carefully collated afresh, is, in some trifling respects, more conformable with the original than that which appears in my Life of Pius V. particularly as regards the punctuation, and, I think, the peculiar orthography of Presbiter with an i, and *that* alone. Where the contractions are retained, the original is strictly followed. The different headings, or titles, though in the Gothic letter, like all the rest, in the original, have been put in the Italic, for the greater distinctness, in the present reprint.

POSTSCRIPT.

To the Document which forms the concluding, and most important, portion of the present work, I should have felt disposed to add another, of about equal extent and kindred character, the *Casus Reservati*, distinguished into *Papales*, *Episcopales*, and *Abbatiales*, had I not inserted them from two antient copies without date in my Memoirs of the Council of Trent, pp. 327—332. Dr. Phillpotts, now Bishop of Exeter, in his Letters to Charles Butler, Esq. pp. 439, and following, has justly exposed the shuffling jesuitism of Dr. Doyle, when examined before the Parliamentary Commissioners in 1825,* by which he endeavoured to impress, either the non-existence, or his own ignorance, of Reserved Cases in his church, and of the occasional practice of granting faculties of absolution to those, to whom they did not belong by the laws of that church. Such an admission would have led to further inconvenient inquiries. The existence, how-

* March 18, p. 196.

ever, of reserved cases for absolution, not simply in the papal territory, but generally in all nations professing the papal religion, is too notorious to admit a moment's doubt. They form an ordinary portion of synodical provisions in Roman catholic countries; and the specification of the crimes expressed is usually, but varyingly, characterized by that vile and vitiating particularity, if not absolute invention, which fixes upon popery the stigma, not only of indifference, but even complacency, in respect of sensual sin, and mark it out for disgust and rejection. In the Synodal Constitutions of the Bishop of Frascati, our Cardinal Duke of York, at a Synod there held by him in 1763, and published at Rome with all authority in 1764, there is a passage under the head of Reserved Cases, which has been brought into notice by De Potter, in his *Life of Ricci*, which for ingenious turpitude of invention, almost exceeds belief. And yet this work is hardly more outrageous than another little one, which I possess on the very same subject, and of no earlier date than 1805. It is—*Tractatus de Casibus Reservatis in Nova Diœcesi Gandavensi*, Jussu ac Auctoritate Illust. et Rever. Dom. Episc. In lucem editus MDCCCV. The latter half of the work, from p. 31 to 74, is occupied with the description of every imaginable crime, without the smallest reserve in the expression; so that the decorum which advancing civilization has silently, but irresistibly, wrought in all other communities,

has recoiled from the unimpressible substance of popery, and left it in the grossness, as well as reality, of its own unchanged and unchangeable vitiosity. It is remarkable, and frightfully characteristic, that this little volume of 94 pages terminates with the recital of the constitution of Benedict XIV. *De Denunciandis Confessariis, Pœnitentes ad inhonestas & turpia sollicitantibus.* &c. This is the last papal Constitution on the subject: but it is not the last recognition of it, nor the last unavailing effort to stem the profligacy, which is the joint result of compulsory celibacy in the Confessor, and compulsory obligation to confess in all—or, on this subject, the *compulsory system* in the church of Rome. The tractate, in order to appear with all due authority, ends with the words *Authenticitatem testor*, and the autograph, F. Broussen, Secret.*

It may not be amiss to add, by way of rather oddly circumstanced contrast, that I have a little piece entitled *Regulæ Ordinationes et Constitutiones Cancellariæ Apostolicæ Sanctissimi D. N. D. Leonis Divina Providentia Papæ XII. Romæ MDCCCXXIII. Typis Reverendæ Cameræ Apostolicæ.* The reader will find nothing here to offend him in point of crime, or the description of it; except, indeed, the voracious cupidity, which all the Regulations breathe, may impress him with the feeling, that the

* The reader may see a great deal, instructive in one sense, respecting *Reserved Cases* in Dens's Theology, vi. 262—325.

successors of St. Peter are not even now indifferent to temporal wealth, and that, should the opportunity occur to the Romish priesthood in this country, of instating themselves in its tithes and emoluments, they would not fail to improve it. But these are future matters, and not yet quite settled. I only add, as a somewhat interesting peculiarity of the little volume before me, that it is a presentation copy, having the autograph—"For Charles Butler, Esq. R. Gradwell, Rome, 12 Nov. 1824." Dr. Gradwell was at the time Rector of the English college in Rome. He soon after came into England, and was coadjutor to the V. A. of the London district, in which station he died in 1833, at the age of 57. He is spoken of with esteem; and in all that his peculiar faith could not, or did not, vitiate, he probably deserved the commendation bestowed upon him.

I cannot, of course, be ignorant, that the doctrines and practices which form the subject of the present volume, as well as all other peculiarities and enormities of the Church of Rome, continue to be disguised, and softened, and vindicated, by her sons. It must be so, unless they are content to encounter the palpable obligation to recant, together with all besides which such a course must cost. And it cannot be denied, that the defences put forth in modern times, with a dexterous adaptation to modern taste and propensity, have some portion of plausibi-

lity. The materials, indeed, are old—as old as the necessity for the use of them: but they are worked and burnished with skill in the most approved manufactories. Still, however, they are old. They are nothing more than the Brereleys, the Perpetuity-writers, the Gothers, in new regimentals, or the Amicable Bishops of Strasbourg, in modern trim, and fit for immediate service, who, each in their day, have been put to complete and irrecoverable rout, by our Mortons, and Claudes, and Wakes, and Stillingfleets, and Burnets, and Fabers, &c. &c. And yet, of the discomfitures which the champions of Rome have regularly received from their opponents, whenever they have ventured to appear in the field, most of the present defenders of Popery, are, or *affect* to be, as completely *ignorant*,—certainly, are as profoundly *silent*, as if the heroes who conquered their forefathers, and the defeats which their forefathers suffered, had never existed. This, undoubtedly, will do exceedingly well for their own people, and for weak or disaffected protestants.

I recollect having heard, some years ago, the following anecdote from a gentleman, who, with a friend, was present at the exhibition of what was produced as a Jackal. The friend had visited the country in which that animal is native, and saw that it was not the pretended species, but a decidedly different, although similar one. He communicated this intelligence, in a quiet way, to the exhibitor.

who was enlarging upon the history and qualities of his subject, and particularly the name it had acquired of being “the Lion’s provider.” The man listened to his unwelcome informant with as much good humour as he could muster for a few minutes, and defended the genuineness of the animal with some energy and ability: but he found he had the worst of the argument, and feeling that it would not be for his advantage to prolong the discussion, he broke it off abruptly, in an under-tone,—“Well, gentlemen, let it be a Jackal, if you please;” and immediately resuming his direct attitude towards his audience, with no diminution of confidence or assertion, off he set, expatiating afresh, *as if nothing had happened*, on the extraordinary qualities and habits of the animal which he had the honour to exhibit, an undoubted specimen of the celebrated Jackal, *the Lion’s provider*, &c. &c.

The name of Aymon is rather conspicuous in the present work. I had thought of referring particularly to his *Tableau de la Cour de Rome*, published anonymously, (mine is the second edition, A la Haye, 1726,) for an account of the office of the *Grand Penitentiary*, to be found pp. 169, and following. My reason for mentioning him, or his work, here is, that the work has been represented as a satire. If by this term is meant to be understood, that it is in any degree a *fiction*, the insinuation is false. It may not be generally known, that the vo-

lume takes for its groundwork the *Relation de la Cour de Rome* by *Jerome Limadoro*, written in 1611, and to be found translated by Labat in his *Voyages en Espagne*, &c. at the end of the last volume, Amst. 1731; and that all which can be called satire in the performance, or rather transcript, of Aymon is, such reflexions, accompanied with such a kind and degree of severity, as would force themselves upon the mind, not only of a protestant, but of any one who exercised common honesty of thinking. The work is not only highly curious, but, I believe, perfectly authentic. The author likewise had means of information of his own. It has been justly observed, by way of obviating the objection from the early date of the original, in Labat's Preface to his translation, that there is no court so *hostile to change*, or so jealous, in every thing which regards the Faith, and money,* and ceremonies, as that of Rome.

* Qu'on ne doit jamais toucher aux choses qui regardent la Foy, ni la monnoye—the association is remarkable.

THE END.

THOMAS KNOTT, PRINTER, BIRMINGHAM.

CORRECTIONS.

Page 2, line 4 from bottom, *for these read* the fore-mentioned.
..... 6, line 3, *before power, insert* extraordinary.

ADDITION.

IT is so illustrative of the subject of the preceding pages that I cannot refrain from adding some account of a document, which, although in my possession some time, I had not examined till after this volume had gone through the press. It forms an article in the celebrated collection of Dr. Kloss, dispersed in 1835, No. 1476. It was bought by Mr. Thorpe, from whom I procured it. It consists of six folia in folio; and the title is: *Summaria declaratio bulle indulgentiarum ecclesie Xanton ejusdem et tuitione fidei concessarum*. There is neither place nor year: but Dr. Kloss has in MS. designated it, *Monasterii*, (Munster,) *Joh. de Limburg*, 1486. The Bull is by Sixtus, who must be IV., as Nicolas V. is mentioned in the body of it: it must accordingly date between 1471 and 1484—earlier therefore than the date of Dr. Kloss, which must be an oversight.* There is reference in the document to a Jubilee; and such had taken place, by a new appointment, in 1475: but the present was an occasional one. The bull is not given at length, but in extracts of the most material portions, interspersed with observations by the *redacteur*, (if it be allowable to use that term,) who is evidently a person of authority, and may have been the Prefect of the taxed Breves, or some officer of the apostolic chancery. The object of the bull was, to provide for the required repairs of the dilapidated cathedral of Saintes in Sain-tonge, for which abundance of indulgences, with the necessary

* The date, in fact, must be before 1483, as Louis of France, who must be the XIth, and who is likewise mentioned, finished his reign in that year.

faculties for absolution, at suitable prices, was provided. The particular grace distinguishing the present indulgence was, the application of the suffrages of the church to the souls of the faithful who have extended helping hands in the pious work, whether living, or in purgatory, that now and for perpetuity they might enjoy the suffrages of the universal church, be defended from all evil in this world, and saved in the next. But the favour was enhanced to the church of Saintes, in that these benefits, which were entitled to *two taxes*, were reduced to *one*; and *that*, at the risk of exposing such high benefits to contempt, as being so cheaply obtained, and provoking such irreverent speeches, as—"What will you give me, and I will deliver it to you?" The first answer to such profane raillery is, that the treasures of the church ought not so to be undervalued; and then, that common confessionals, which promise no such plenary remission, nor such a share in the suffrages of the universal church, exact the *tax* of *three florins*, or thereabouts (*taxatum ad tres florenos vel fere, &c.*) No wonder then, that the *present new tax* should exceed the former: but the wonder should be, that it was so small: (*non mirandum venit quod taxa excedat alias taxas—sit ita parva.*) The faithful ought to prefer the soul to the body, for which they grudge no expence.—But, (it was alleged,) the poor cannot obtain these indulgences, and therefore their condition is inferior to that of the rich. Yes: and they must bear it: it were likewise better that they should want the indulgences, than be tempted by their *low price* to degrade them to the rank of mere worldly commodities. The commissary, however, might settle this matter. The persons concerned are again reminded of the good bargain of *two graces for one tax*; and *that a moderate one*: (*modica taxa—una taxa sit ordinata pro duabus gratiis.*) Several other curious particulars occur; and towards the end makes its appearance the *capsa*, or *cista*, or *chest*, for the reception of the *taxes* and *alms*. These last may be *sent*, to be faithfully deposited in the chest, without which, or visiting the cathedral, [not empty handed] the indulgences *will not be obtained*: (*indulgentiæ hujusmodi eis minime suffragentur.*)

The close is worthy of notice :

Sequitur clausula.

Item concedimus quod si vere confessus in via moriatur quod ab omnibus peccatis suis sit penitus absolutus. Et nihilominus mandamus angelis paradisi quatenus animam illius a purgatorio prorsus absolutam in paradisi gloriam introducant.

This particular specimen of profane arrogance, this order to the angels to admit the souls of absolved papists to paradise, is generally and exclusively appropriated to a predecessor, Clemens VI. ; who, in a bull announcing his own appointed Jubilee, in 1350, has used that identical sentence, and others of about equal impiety. The Bull is recited in the life of the latter pontiff by *Pet. de Herentals*, a prior,* in the collection of *Baluze*, Vitæ Pap. Aven. i., 310, &c. The Editor, feeling for the honour of his church, and willing to uphold it by any means, has endeavoured in his Notes, coll. 915, &c. to blast the credit of this testimony. True, it was found in his original, in the Dictionary of Albericus a Rosate, in John Wessel of Groningen† and Corn. Agrippa, both of whom attest its present existence in different places with the leaden seal, and in a MS. of the Colbert library. But Albericus, a cotemporary, did not see it in Rome—just as if popes did nothing which they were ashamed publicly to recognize. Wessel and Agrippa, who are *assumed* to be one testimony, testified of a fact long anterior to their times, and in distant places—they both speak of the *present* existence of the document, (*hodie*,) and if they did not visit the places, they *might* obtain information from residents. Antoninus Bp. of Florence, thinks the bull *unlikely* to be genuine, (*non videtur*, &c.)—This requires no answer. The pope had made *another* more decorous declaration of the jubilee, as extant in the Extrav. Comm., and of which the reader may find an extract in this work, pp. 7—9.—Just as if two different means in two different ways might not be

* Floreffiensis. See Oudin. de Scriptt. Ecc. Antt. iii. 1218, &c. The place is Floreffe, in the county, and near the city, of Namur. I suspect that in Chauchard's Geog. Gazetteer it is intended under the false name of Floresse—the f being mistaken for the long s. It is right in the map.

† See Wolfii Lect. Mem. i., 714. Wessel was a very learned man, had travelled, and was tried by the Inquisitors.

employed for the same object. The *stupidity* of a papal production was never esteemed a valid argument against its genuineness. And against all this hypothesis we have *besides* Baluze's own MSS., Albericus, Wessel, and Agrippa, the *authority* of Muratori, *Rer. Ital. Script.* iii., part ii., p. 585, ed. Milan, 1734,* and that of the bull of Sixtus, of which I have just given an account. This, I think, is satisfactory, though I could have dwelt with advantage upon the testimony of the eccentric, but eminently learned, Agrippa. See de Van. Scient. ch. de Jure Canonico, where he says, of the most prominent of papal performances, *in inferorum pænis inventum est lucrum.*† Bower, in his hasty way—I impute nothing worse—has done no more than repeat the objections of Baluze. But as the sentence used by Sixtus corroborates that of Clement, so does the latter the former. Still, the chief point which attracted my attention was, the *pecuniary character of the spiritual transaction*—the SPIRITUAL TAXES—the specimen afforded of the close, the inseparable, the unremitted *connexion*, in the Italian church, between THE FAITH and THE TREASURY.

* I owe this information to *Three Capital Offences of Rome*, by Rusticus, p. 26. Muratori transcribes the bull.

† Agrippa was a sound son of the church, if adoration of the corporal presence in the Eucharist, and the designation of Luther as a heretic will make one. See the chapters, *De Imaginibus*, and *De Arte Lenonia*. The first edition has no numbers, either for folia or chapters.

A Dennis p. 29 note.

John Moore p. 51. 52 Notes

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